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SAN FRANCISCO PLANNING DEPARTMENT

301 MISSION STREET
MIXED USE DEVELOPMENT

INITIAL STUDY

May 10, 2002

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PLANNING DEPARTMENT

City and County of San Francisco 1660 Mission Street, Suite 500 San Francisco, CA 94103-2414

(415) 558-6378

PLANNING COMMISSION
FAX: 558-6409

ADMINISTRATION
FAX: 558-6426

CURRENT PLANNING/ZONING
FAX: 558-6409

LONG RANGE PLANNING
FAX: 558-6426

May 11, 2002

TO: Responsible Agencies, Trustee Agencies, and Interested Parties
FROM: Paul Maltzer, Environmental Review Officer

RE: Notice of Preparation of a Draft Environmental Impact Report

The City and County of San Francisco Planning Department is the Lead Agency and will prepare an Environmental Impact Report for the following project:

2001.0792E: 391 Mission Street Project - The project would demolish three existing, two- to six-story buildings, totaling about 173,650 gross square feet (gsf) and build a 58-story, 605-foot-tall high-rise mixed use development of approximately 1,068,400 gsf. The project would contain about 132,600 gsf of office space, 10,000 gsf of retail and restaurant space, a 6,000-gsf atrium, a 136-unit extended-stay hotel (approximately 198,200 gsf), 271 residential units (approximately 514,800 gsf); about 390 underground parking spaces (approximately 172,127 gsf, including circulation); and about 34,673 gsf of mechanical space. The site is on the south side of Mission Street between Fremont and Beale Streets, on Assessor's Block 3719, Lots 1 and 17. The proposed project configuration would be a nine-story, 125-foot-tall office building on the east side of the site that would be joined to a 58-story, 605-foot-tall tower on the west by a three-story central atrium. Access to the atrium would be from Mission Street, with a pedestrian path to outdoor terraces on the south side of the site. Separate street access to retail spaces would be along Mission and Fremont Streets. Access to the offices would be from a separate entrance on Mission Street or from the atrium. Access to the residential and hotel uses would be from shared entrances on Mission Street and a port-cochere on the south side of the project. There would be three off-street loading docks at ground level near the southeast corner of the site. Access to these would be at Fremont and Beale Streets and off a new two-way drive-through that would run the length of the site on the south.

This Notice of Preparation of a Draft Environmental Impact Report (EIR) and Notice that an EIR is Determined to be Required for the above-referenced project are being sent to you because you have expressed an interest in the proposed project, or because you have been identified by the Planning Department as potentially having an interest in the project. Notice of publication of these documents will be printed in a newspaper of general circulation on the date of these notices. As stated in these Notices, the Planning Department has determined that pursuant to the California Environmental Quality Act (CEQA) an EIR must be prepared prior to any final decision regarding the project.

We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering a permit or other approval for this project.

Written comments on the scope of the EIR will be accepted until the close of business on June 10, 2002. Written comments should be sent to: Paul Maltzer, Environmental Review Officer, San Francisco Planning Department, 1660 Mission Street, Ste. 500, San Francisco, CA 94103. Please include the name of a contact person in your agency. Thank you.

DOCUMENTS DEPT.

MAY 13 2002

Paul Maltzer

Environmental Review Officer

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Date

May 10, 2002



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NOTICE THAT AN ENVIRONMENTAL IMPACT REPORT (EIR) IS DETERMINED TO BE REQUIRED

Date of this Notice: May 11, 2002

Lead Agency: Planning Department, City and County of San Francisco
1660 Mission Street - 5th Floor, San Francisco, CA 94103-2414

Agency Contact Person: Carol Roos

Telephone: (415) 558-5981

Project Title: 200F.0792E - 301 Mission Street Project

Project Sponsor: Mission Street Development Partners, LLC

Project Contact Person: Mark Farrar, (415) 274-9150

Project Addresses: 301 Mission Street, 345 Mission Street, 124 Beale Street, and 129 Fremont Street.

Assessor's Block(s) and Lot(s): 3719/1 and 17

City and County: San Francisco

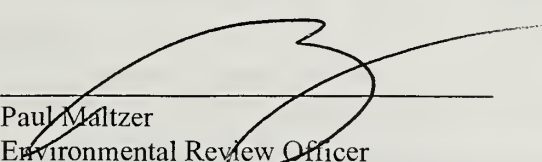
Project Description: The project proposes to demolish three existing two- to six-story structures, totaling about 173,650 gross square feet (gsf) and to build a 58-story, 605-foot-tall high-rise mixed use development of approximately 1,068,400 gsf. The building would contain about 132,600 gsf of office space, 10,000 gsf of retail and restaurant space, a 6,000-gsf atrium, a 136-unit extended-stay hotel (approximately 198,200 gsf), 271 residential units (approximately 514,800 gsf); about 390 underground parking spaces (approximately 172,127 gsf, including vehicle circulation); and about 34,673 gsf of mechanical space. The site is on the south side of Mission Street between Fremont and Beale Streets, on Assessor's Block 3719, Lots 1 and 17. The proposed building would include a nine-story, 125-foot-tall office building on the east side of the site that would be joined to a 58-story, 605-foot-tall tower on the west by a three-story central atrium.

THIS PROJECT MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND AN ENVIRONMENTAL IMPACT REPORT IS REQUIRED. This determination is based upon the criteria of the Guidelines of the State Secretary for Resources, Section 15063 (Initial Study), 15064 (Determining Significant Effect), and 15065 (Mandatory Findings of Significance), and the following reasons, as documented in the Environmental Evaluation (Initial Study) for the project, which is attached.

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Paul Maltzer
Environmental Review Officer
Planning Department

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Mixed Use Development, 301 Mission Street
INITIAL STUDY
2001.0792E

PROJECT DESCRIPTION

The project proposes to demolish three existing two- to six-story structures, totaling about 173,650 gross square feet (gsf) and to build a 58-story, 605-foot-tall high-rise mixed use development of approximately 1,068,400 gsf. The building would contain about 132,600 gsf of office space, 10,000 gsf of retail and restaurant space, a 6,000-gsf atrium, a 198,200 gsf, 136-unit extended-stay hotel¹ (referred to as "hotel" herein), about 163 condominium and 108 rental residential units (approximately 514,800 gsf); about 390 underground parking spaces (approximately 150,000 gsf), and about 22,127 gsf for vehicle circulation; and about 34,673 gsf of mechanical space.

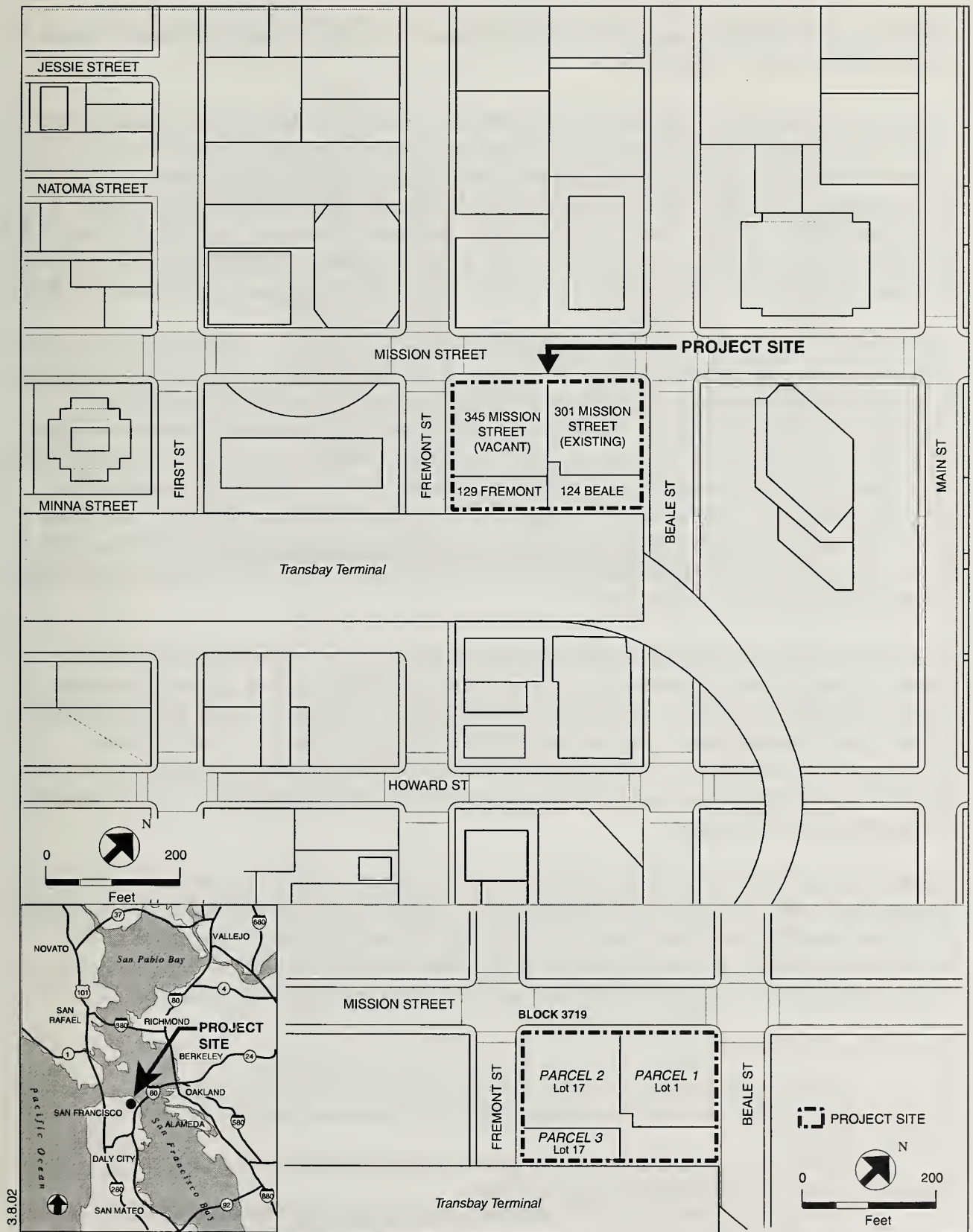
The site is on the south side of Mission Street between Fremont and Beale Streets, on Assessor's Block 3719, Lots 1 and 17, as shown in Figure 1, Project Location. It comprises the northern portion of the block fronting Fremont, Mission, and Beale Streets. The project site is in San Francisco's downtown core, which includes the expanded Financial District south of Market. The site is also within the proposed Transbay Redevelopment Project Area. The project site is about four blocks west of San Francisco Bay, three blocks east of Yerba Buena Center Redevelopment Area, and one block south of Market Street.

Immediately west of the project site, on the south side of Mission Street between First and Fremont Streets, is the San Francisco Transbay Terminal Plaza. Immediately east of the site across Beale Street, occupying the entire Block 3718, is the 201 Mission Street high-rise office building. A six- to seven-foot-wide pedestrian walkway is adjacent to the project site on the south; to the south of the walkway is part of the Transbay Terminal and bus ramps.

The project site is occupied by a six-story office building over ground-floor retail uses and one basement level at 301 Mission; a six-story office building above one basement level at 124 Beale Street; and a two-story industrial building used for offices at 129 Fremont Street. The lot at 345 Mission Street has been vacant since the previous building, damaged in the 1989 Loma Prieta earthquake, was demolished.

Existing office space on the project site totals approximately 140,000 gsf and existing retail space totals about 20,000 gsf. The project would decrease office space on the site by about 7,400 gsf and would decrease retail use on the project site by approximately 10,200 gsf. The proposed residential, hotel (about 713,000 gsf) and parking uses (about 390 spaces) would be new to the project site. Total net change in square footage for the site would be an addition of

¹ An extended-stay hotel is a hotel use providing accommodations for an undefined period of time and with additional amenities. Extended-stay hotels have cooking facilities in each unit and anticipated stays of a period of weeks rather than days.



SOURCE: Mission Street Development Partners, Gary Edward Handel + Associates, Turnstone Consulting

2001.0792E: 301 MISSION STREET

FIGURE 1: PROJECT LOCATION

894,750 gsf.² If the 345 Mission Street building (about 170,150 gsf³) were considered, the net change would be about 724,600 gsf.

Regarding zoning, the site is in the C-3-O (Downtown Office) Use District; the western portion is in a 550-S Height and Bulk district and the eastern portion is in a 400-S Height and Bulk district. In the C-3-O District a base floor area ratio (FAR) OF 9:1, and a maximum FAR of 18:1 are allowable, subject to height and building bulk limitations, with the use of transferable development rights (TDR). The total gross square footage of the project attributable to the FAR calculations is approximately 895,600 gsf,⁴ or 17.8:1 FAR which is more than the base FAR and less than the allowable 18:1 gross floor area of 907,499 gsf.⁵ The project would include TDRs.

The existing buildings on the site would be demolished for the project. New construction would include a nine-story, 125-foot-tall office building on the east side of the site that would be joined to a 58-story, 605-foot-tall tower on the west by a three-story central atrium (see Figure 2, Ground Floor Plan; and Figure 3, Mission Street Elevation). Proposed uses include retail space on the ground floor; office space on the second to the ninth floors of the eastern building; and on the western portion of the site, there would be a 136-unit extended-stay hotel occupying the second to the seventeenth floors above the ground-floor restaurant and retail space; and about 163 condominium and 108 rental residential units occupying the eighteenth to the fifty-eighth floors. The hotel would include a lounge and fitness center for the use of hotel occupants on the second and third levels, respectively.⁶

The central atrium would be accessed from Mission Street, and would serve as a pedestrian passage to landscaped outdoor terraces on the south side of the site. The atrium and terraces would be publicly accessible. Separate street entrances to retail spaces would be located along Mission and Fremont Streets. The entrance to the office spaces would be from a separate entrance on Mission Street or from the central atrium. Entrance to the residential and hotel uses would be from a shared entrance on Mission Street and a shared entrance from a port-cochere on the south side of the building.

Approximately 390 parking spaces on three subsurface levels would be accessed from Fremont Street at the southwest corner of the site; the ramp entrance leading to subsurface parking would be located centrally on the south side of the building. Three off-street loading docks at the ground level and two van spaces would be located near the southeast corner of the site. Access to the loading docks would be through the southwest corner of the site from Fremont Street

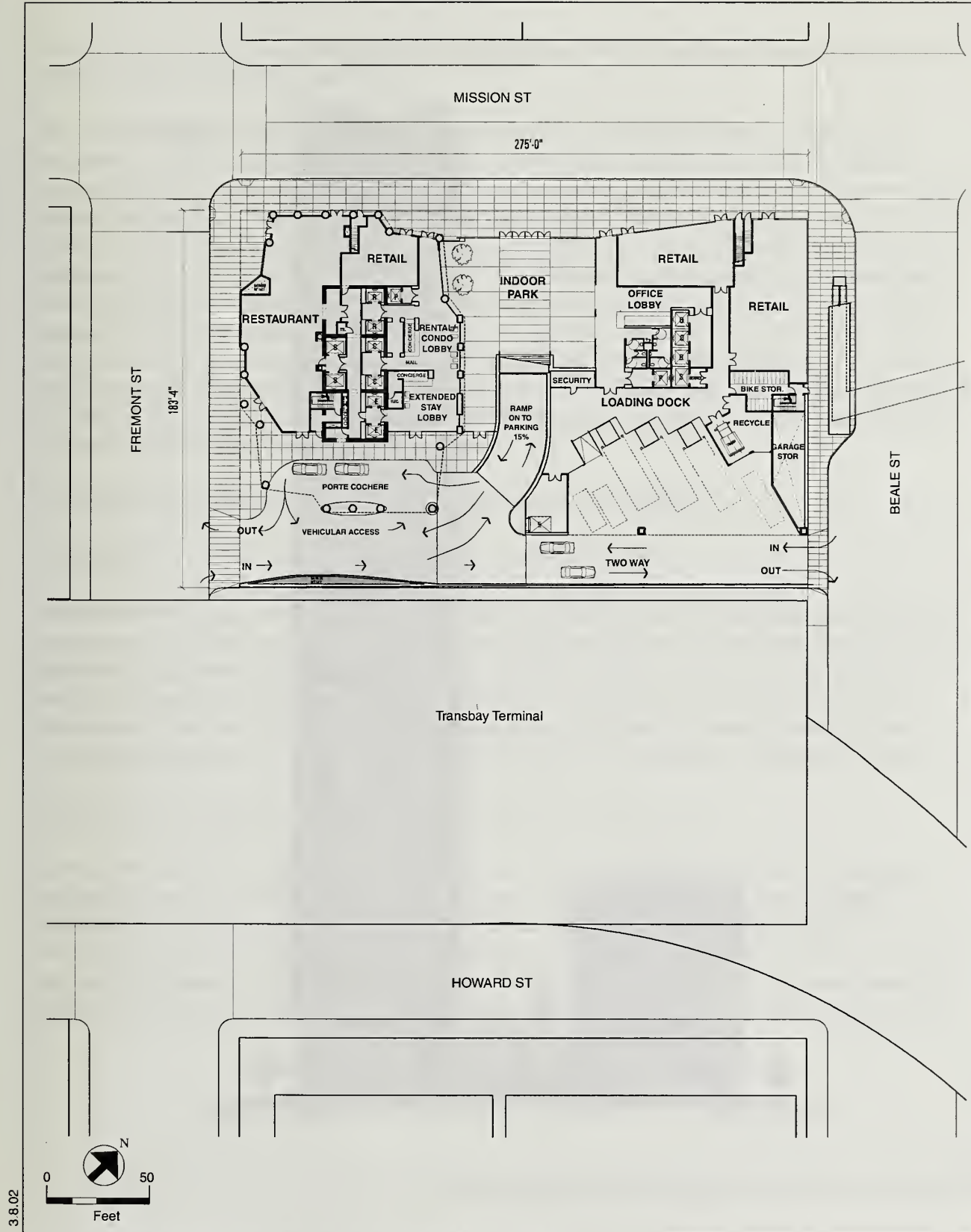
² The total existing gross square footage (173,650 gsf) includes about 13,650 gsf of basement storage space as well as office and retail spaces (about 160,000 gsf). Therefore net change in square footage would be 1,068,400 - 173,650 = 894,750 gsf.

³ The former 345 Mission Street building occupied a land area of approximately 18,906 sq.ft. and was nine stories tall. It contained approximately 170,150 gsf of space.

⁴ 172,800 gsf is excluded from the FAR calculation, under Planning Code Section 102.9(b). This amount includes the following: required and accessory parking and incidental driveways and maneuvering areas; mechanical equipment; ground floor-retail; and public open space.

⁵ The allowable gross floor area for the project equals the lot area (50,416.6 sq.ft.) times 18, which is 907,499 gsf, when rounded to the nearest square foot.

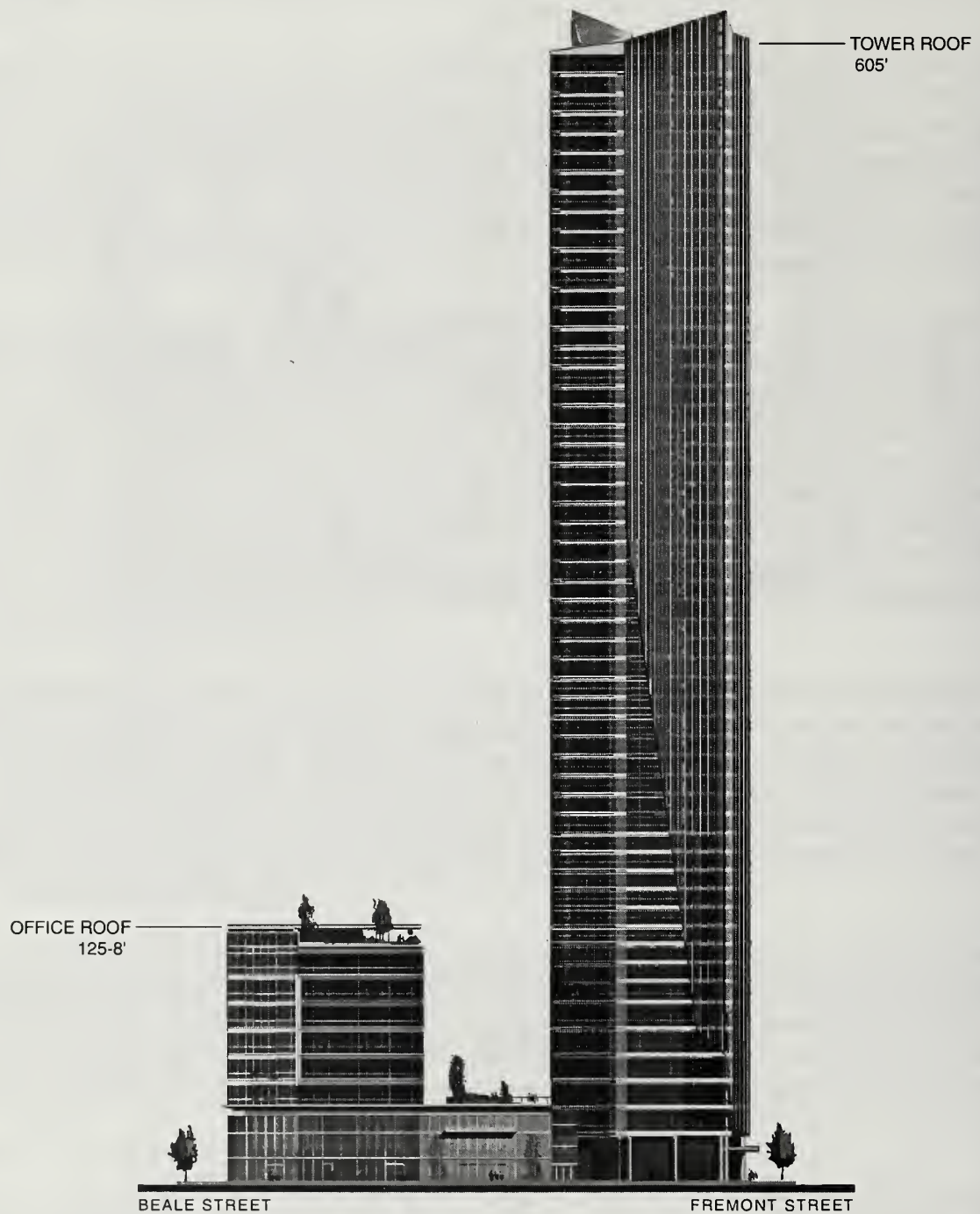
⁶ The 198,200 gsf of hotel space, listed on Page 1, would include the lounge and fitness areas.



SOURCE: Mission Street Development Partners, Gary Edward Handel + Associates, Turnstone Consulting

2001.0792E: 301 MISSION STREET

FIGURE 2: GROUND FLOOR PLAN



SOURCE: Mission Street Development Partners, Gary Edward Handel + Associates, Turnstone Consulting

2001.0792E: 301 MISSION STREET

FIGURE 3: MISSION STREET ELEVATION

(immediately south of the port cochere) and off the two-way drive-through that would run the length of the site along the south side.

The project would require the merger of existing lots and subdivision into residential and commercial portions; approval by the Board of Supervisors were the midblock pedestrian crosswalk across Fremont Street requested to be eliminated; potential office space authorization under Planning Code, Section 322, dependent upon whether formerly existing office space at 345 Mission Street is included in calculation of net new office space⁷; Conditional Use authorization for hotel use in a C-3 district under Planning Code Section 216; Conditional Use authorization for a parking garage under Planning Code Section 158 (for the portion of proposed parking in excess of accessory amounts under Planning Code Section 204.5, and the portion in excess of required parking under Planning Code Section 151); and review under Planning Code Sections 309 for exceptions under Section 272 from the upper tower bulk limits of Planning Code Section 270, and Section 263.9, from the height limits of Planning Code Section 250, for an additional 10% of height (an allowable upper tower extension).

II. SUMMARY OF POTENTIAL ENVIRONMENTAL EFFECTS

A. EFFECTS FOUND TO BE POTENTIALLY SIGNIFICANT

This Initial Study examines the 301 Mission Street project to identify potential effects on the environment. On the basis of this study, project-specific effects that have been determined to be potentially significant include transportation, air quality, and wind. These issues will be analyzed in the Environmental Impact Report (EIR). The EIR will also provide additional discussion of land use, visual quality/urban design, and shadow for informational purposes, although these topics are determined in this Initial Study to be less than significant impacts.

B. EFFECTS FOUND NOT TO BE POTENTIALLY SIGNIFICANT

The following effects of the 301 Mission Street project have been determined to be either insignificant or to be mitigated through measures included in the project: land use; visual quality/urban design; population and housing; noise; construction air quality; shadow; utilities/public services; biology; geology/topography; water; energy/natural resources; hazards; and cultural resources. These issues are discussed below and require no further environmental analysis in the EIR, except as noted, where they will be discussed for informational purposes.

⁷ Project sponsor has requested an interpretation by the Zoning Administrator.

III. ENVIRONMENTAL EVALUATION CHECKLIST AND DISCUSSION

A. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	<u>Not Applicable</u>	<u>Discussed</u>
1. Discuss any variances, special authorizations, or changes proposed to the City Planning Code or Zoning Map, if applicable.	—	<u>X</u>
2. Discuss any conflicts with any adopted environmental plans and goals of the City or Region, if applicable.	<u>X</u>	<u>X</u>

The project site is located within the boundaries of the Downtown Plan, an Area Plan of the *San Francisco General Plan*. The Downtown Plan is the policy document that guides growth and development in San Francisco's downtown area. Centered on Market Street, the plan covers an area roughly bounded by Van Ness Avenue to the west, The Embarcadero to the east, Folsom Street to the south, and the northern edge of the Financial District to the north. The plan contains objectives and policies that address the following: provision of space for commerce, housing and open space; preservation of the past; urban form; and movement to, from and within the downtown area (transportation). The Downtown Plan was intended to manage growth in this area, including maintaining a compact downtown core and directing growth to areas with developable space and easy transit accessibility. The Downtown Plan limits growth in the traditional downtown, centered in the Financial District, by adjusted height limits and FARs (floor area ratios). The Downtown Plan identifies specific South of Market areas, which include the proposed project site, for high-rise development, including space for office, retail and hotel uses, as well as for residential uses in downtown commercial developments.

The San Francisco Planning Code, including the City's Zoning Maps, implements the *San Francisco General Plan*, and governs permitted uses, densities, and configuration of buildings within the City. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless (1) the proposed project conforms to the Code, (2) an allowable exception is granted pursuant to provisions of the Code, or (3) amendments to the Code are included as part of the project.

The project site (Assessor's Block 3719, Lots 1 and 17) is within the C-3-O (Downtown Office) district, which permits commercial and residential uses and has a base floor area ratio (FAR) of 9:1.⁸ The eastern portion of the site, that would contain the podium structure, is in a 400-S height and bulk district, and the western portion of the site, to contain the tower structure, is in a 550-S height and bulk district. In 400-S and 500-S height and bulk districts, buildings are permitted at heights up to 400 and 550 feet, respectively. The "S" bulk district establishes limits

⁸ See Planning Code Section 124.

on building bulk at specific heights.⁹ There are no limitations of length or diagonal dimensions applicable to the base of a building, which is defined as the lowest portion of the building extending vertically to a streetwall height of up to 1.25 times the width of the widest abutting street or 50 feet, whichever is more. Bulk controls for a lower tower, which is defined as the span between the building base and 160 feet, are a maximum length of 160 feet, a maximum floor size of 20,000 sq.ft. and a maximum diagonal dimension of 190 feet. Bulk controls for an upper tower, which is defined as the span between 160 and 550 feet, are a maximum length of 130 feet, a maximum average floor size of 12,000 sq.ft, a maximum floor size for any floor of 17,000 sq.ft. and a maximum average diagonal measure of 160 feet. In “S” districts, additional height up to 10% of the allowable height shown on the Zoning Map may be allowed as an extension of the upper tower, provided that the volume as extended is reduced by a certain percentage (as shown in Planning Code Section 270(d), Chart B). The C-3-O district permits a base floor area ratio (FAR) of 9:1; a maximum FAR of 18:1 is allowable, subject to height and building bulk limitations, with the use of TDRs. The project would use an FAR of 18:1 and would include TDRs.

The project would require review under Planning Code Section 309(a), Permit Review in C-3 Districts: Exceptions, for allowable exceptions under Section 272, Bulk Limits: Special Exceptions in C-3 Districts from the upper tower bulk limits of Section 270, Bulk Limits: Measurement, and Section 263.9, Height Limits: Special Exceptions for Upper Tower Extensions in S Districts. The project sponsor is requesting these exceptions for diagonal dimension, length, and floor plate sizes above 350 feet in height; and for additional height for the upper tower up to 10% of the allowable height of 550 feet (for a total height of about 605 feet).

The project proposes a total of 390 parking spaces, including 122 spaces for the residential units and 268 spaces for the hotel, office, and retail uses. The project site is located in a C-3 District in which long-term commuter parking for commercial uses is discouraged. As stated in Planning Code Section 161(c), Exemptions from Off-Street Parking, Freight Loading and Service Vehicle Requirements, parking is not required for commercial uses in the C-3 districts and one parking space is required for every four dwelling units. The proposed project would therefore be required to provide 68 off-street parking spaces. Per Planning Code Section 204.5 Parking and Loading as Accessory Uses, the project would provide accessory parking associated with the residential parking equivalent to 150% of the required parking provision, or 102 spaces. The project would also provide accessory parking for the non-residential component of seven percent of the remaining 400,000 gsf, or 80 spaces.¹⁰ Planning Code Section 157, Conditional Use Applications for Parking Exceeding Accessory Amounts: Additional Criteria, requires Conditional Use authorization for parking that is in addition to the amount permitted as accessory.

⁹ See Planning Code Section 270(d).

¹⁰ Seven percent of 400,000 gsf is 28,000 gsf. This area would accommodate about 80 vehicles with an average of 350 sq.ft. per car and no use of aisle space for parking, or about 130 vehicles with valet parking and assuming about 215 sq.ft. per vehicle.

The project would also require the following approvals:

- Merger of existing parcels, and residential and commercial subdivision;
- Approval by the Board of Supervisors if the midblock pedestrian crosswalk across Fremont Street were to be eliminated; and
- Conditional Use authorization for hotel use in a C-3 district under Planning Code Section 216(b), Other Housing.

The project sponsor has asked for a determination by the Zoning Administrator regarding pre-existing office space demolished after the Loma Prieta earthquake. If pre-existing space in 345 Mission Street is not considered in calculation of net new office space, the project would require approval under Planning Code Section 322, Procedure for Administration of Office Development Limit.

The 301 Mission Street project requires review by the Planning Commission and the Department of Public Works.

Applicable Area Plans and Elements of the *General Plan* include the Downtown Plan, Urban Design Element, Residence, Transportation, and Commerce and Industry Elements. If the project, on balance, were to have substantial conflicts with General Plan objectives and policies, it could not be approved. In general, potential conflicts with the *General Plan* are considered by decision makers (normally the Planning Commission) independent of the environmental review process, as part of the decision to approve, modify or disapprove a proposed project. Any potential conflict not identified here could be considered in that context, and would not alter the physical environmental effects of the proposed project. The relationship of the proposed project to objectives and policies of the *General Plan* will be discussed in the EIR.

In November 4, 1986, the voters of San Francisco passed Proposition M, the Accountable Planning Initiative, which established eight Priority Planning Policies. These policies, contained in Section 101.1 of the City Planning Code, are: preservation and enhancement of neighborhood-serving retail uses; protection of neighborhood character; preservation and enhancement of affordable housing; discouragement of commuter automobiles; protection of industrial and service land uses from commercial offices development and enhancement of resident employment and business ownership; earthquake preparedness; landmark and historic building preservation; and protection of open space. Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), or adopting any zoning ordinance or development agreement, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. The motion by the Planning Commission approving or disapproving the project will contain the analysis determining whether the project is in conformance with the Priority Policies.

Plans and policies will be discussed in the EIR. The EIR will also address the status of the proposed Transbay Redevelopment Area Plan. (The project site is within the proposed Transbay

Redevelopment Project Area. That proposal is currently under review by the San Francisco Planning Department and is subject to future refinement and future approvals.)

Environmental plans and policies, like the Bay Area Air Quality Management District’s 1997 Clean Air Plan, directly address physical environmental issues and/or contain standards or targets that must be met in order to preserve or improve specific components of the City’s physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

ENVIRONMENTAL EFFECTS

Except for the categories of transportation, air quality, and wind as noted above, all items on the Initial Study Checklist herein have been checked “No” indicating that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect in those areas checked “No”. For items where the conclusion is “To be Determined”, the analysis will be conducted in the EIR. Several checklist items have also been checked “Discussed” indicating that the Initial Study text includes discussion of that particular issue. For all of the items checked “No” without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience on similar projects, and/or standard reference material available within the Planning Department, such as the Department’s Transportation Guidelines for Environmental Review, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

1. <u>Land Use</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Disrupt or divide the physical arrangement of an established community?	—	<u>X</u>	<u>X</u>
b. Have any substantial impact upon the existing character of the vicinity?	—	<u>X</u>	<u>X</u>

As noted in the project description, the site is located in an Francisco’s downtown core, immediately northeast of the San Francisco Transbay Terminal. The Yerba Buena Center Redevelopment Area is to the west (west of Second Street); the Rincon Hill neighborhood is about one and one-half blocks to the southeast; and the South of Market neighborhood is to the south and southwest.

The project site is within the proposed Transbay Redevelopment Project Area, the focus of a number of land use and transportation planning efforts. After the 1989 Loma Prieta Earthquake, a substantial portion of this area previously dominated by the Embarcadero Freeway was opened up as a result of freeway demolition; resulting parcels are now vacant and used for surface parking. Besides surface parking lots, the proposed Transbay Redevelopment Project Area contains a mix of light industrial, warehousing/distribution, commercial office, retail,

institutional (educational), live-work, and residential uses. The vacant parcels used as surface parking are the focus of potential rezoning from P (Public) to C-3-O (Downtown Office), or to C-3-O (SD) (Downtown Office Special Development). Office use is the predominant land use within the proposed Transbay Redevelopment Project Area, much of it in newer existing high-rise buildings. There are also some industrial, hotel, institutional (educational), retail, and residential uses. Recent development has consisted primarily of high-rise office towers and residential development.

Residential development in the near and mid-vicinity (within three blocks) of the project site includes residential units in the top seven stories of the 26-story mixed used development at 388 Market Street about two blocks to the north, Rincon Towers at 101 Spear Street about two blocks to the east, and the high-rise residential portion of Hills Plaza complex three blocks to the southeast. Newer residential developments have also been built recently or are under construction in the project vicinity, especially in the Rincon Hill area, including the recently occupied 226-unit Avalon Towers on Beale Street, the 245-unit residential building under construction at 400 Beale Street, and the 200 units recently approved at 331 First Street.

Hotels in the general project vicinity include the Hyatt Regency in Embarcadero Four about four blocks northeast from the site; the Harbor Court at 165 Steuart Street about three blocks east of the site; and the Sheraton Palace at Two New Montgomery Street about three blocks northwest from the site. A hotel is planned in the proposed Transbay Redevelopment Project Area, across Fremont Street from the project site. None of these hotels are extended-stay hotels.

Land uses within a block of the project site are a mix of commercial (office and retail), institutional (educational), transportation and parking uses. High-rise office above ground-floor retail is the predominant use immediately north and east of the site and to the west across Transbay Terminal Plaza; transportation (the terminal) and parking predominate immediately south and southwest of the site.

A six- to seven-foot-wide pedestrian path adjoins the project site on the south. Immediately south of this path are the fenced-in San Francisco Transbay Terminal elevated bus ramps. Currently, the area beneath this portion of the elevated bus ramps is used as surface parking. The three-block-long San Francisco Transbay Terminal and ramps are immediately south, and west of the project site across Fremont Street. The terminal is a structure of local and regional transportation importance, and is used by AC Transit East Bay Bus Service, Muni and Greyhound bus lines; the terminal has direct ramps to the Bay Bridge. The main terminal building and plaza are just west of the project site on the south side of Mission Street between First and Fremont Street. South of Transbay Terminal are a 25-story office building at 199 Fremont Street, a three-story office building at 181 Fremont Street, a two-story office building at 183 Fremont Street, and a four-story office building with ground-floor retail and daycare at 342 Howard Street on the southern portion of the project block (Block 3719).

Across Beale Street and east of the project site, occupying the entire block, is the 30-story 201 Mission Street office building above ground-floor retail, with surface parking surrounding the rear of the building and beneath the elevated Transbay Terminal bus ramps that traverse the southwest corner of the block. At the second level, the 201 Mission Street building is connected

to Beale Street's western sidewalk, immediately adjacent to the project site, by an elevated pedestrian bridge across Beale Street.

North of Mission Street, diagonally east of the site, is the 33-story PG&E office building complex with ground-floor retail and a private garage at 245 Market Street occupying the entire block. Facing the site are the 23-story Bechtel office building with ground-floor retail at 50 Beale Street; and the four-story Heald College School of Business and Technology building with ground-floor retail at 350 Mission Street on the block (Block 3710) immediately north of the project site. The remainder of Block 3710 is occupied by a 34-story office building at 45 Fremont Street; and a 33-story office building above ground-floor retail at 333 Market Street. Diagonally from the project site to the west and north of Mission Street (between Fremont and First Streets) are a 41-story office building above ground-floor retail at 50 Fremont Street, a five-story office building with ground-floor retail at 440-456 Mission Street, a one-story bank building at 75 First Street, a 23-story office building with ground-floor retail at 455 Market Street, and a 36-story office building with ground-floor retail at 425 Market Street.

The project site is currently occupied by a six-story office building over ground-floor retail uses at 301 Mission; a six-story office building at 124 Beale Streets; a two-story industrial building used as offices at 129 Fremont Street; and a vacant and fenced lot at 345 Mission Street. The project is in a transition area between the predominantly high-rise office above ground floor retail use in the Downtown Commercial District to the north, east and west; and parking, transportation uses, and lower-rise office and office support buildings to the south and southwest.

The proposed project would include commercial (office/retail) uses and services in a nine-story podium on the eastern portion of the site; residential and hotel uses in a 58-story tower on the western portion of the site; and three levels of subsurface parking. Office use is the predominant land use in the project area. The proposed residential and hotel uses would be new uses in the immediate project area, similar to such uses in the Rincon Hill and Yerba Buena Center areas and the area to the south of Howard Street. Planned land uses in the proposed Transbay Terminal Redevelopment Area include transportation, residential and hotel uses, including a hotel and plaza across Fremont Street from the site.

The proposed mixed-use development would increase the intensity of existing land uses on the project site, and introduce residential and hotel uses here. The project would be compatible with existing and planned uses in the vicinity, including residential, hotel, retail and office uses existing in the Rincon Hill area and planned for the Transbay Redevelopment Project Area, as well as Yerba Buena Center to the west. The project would not disrupt or divide established neighborhood. It would not result in significant effects related to land use. Therefore, land use will be discussed in the EIR for informational purposes only.

2. <u>Visual Quality</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Have a substantial, demonstrable negative aesthetic effect?	—	<u>X</u>	<u>X</u>
b. Substantially degrade or obstruct any scenic view or vista now observed from public areas?	—	<u>X</u>	<u>X</u>
c. Generate obtrusive light or glare substantially impacting other properties?	—	<u>X</u>	<u>X</u>

The proposed project would result in a visual change because it would demolish three existing low-rise buildings dating from the 1900's-1930's, to construct a substantially larger three part development: a 58-story building and a nine-story building connected by a three-story atrium, a port cochere and a three-level subsurface garage. It would thus increase the scale of development on the project site. The existing buildings are an approximately 68-foot-tall (six-story), brick-clad office building with ground-floor retail uses at 301 Mission; an approximately 53-foot-tall (six-story), stucco-finish office building at 124 Beale Streets; and an approximately 20-foot-tall (two-story), industrial building at 129 Fremont Street. A vacant and fenced lot occupies 345 Mission Street, the remaining lot on the project site. The vacant lot was formerly occupied by a 100-foot-tall, nine-story building, damaged in the Loma Prieta earthquake in 1989, and subsequently demolished.

The proposed 605-foot-tall, 58-story building would be substantially taller and larger than existing buildings on the site and existing high-rise office buildings on Mission Street near the project site (there are several 23 to 41-story buildings on the north side of Mission Street across from the site). Nearby high-rise buildings include the 447-foot 100 First Street building across Transbay Terminal Plaza, the 140- to 472-foot 333 Market Street buildings one block northwest of the site, and the 417-foot 201 Mission Street building immediately to the east across Beale Street. The proposed building would be about the same height as the 600-foot-tall 50 Fremont Street building across Mission Street from the Transbay Terminal Plaza, and the 600-foot-tall 101 California Street building, two blocks northwest of the project site across Market Street.¹¹

The project would be part of the growing number of high-rise buildings located south of Market Street in the vicinity of the Transbay Terminal. The project would be within the maximum height zoned for the site and planned for this area, with an allowable upper tower extension of 10%. The project thus would not be out of context.

The design of the building would be a contemporary interpretation of the Modernist architectural style. There would be pedestrian-scale, double-story retail spaces fronting Mission Street at the ground level. Structurally and visually, the proposed building would consist of three main

¹¹ See <http://www.skyscrapers.com/english/worldmap/city/skyscrapers/detail/0.9/101040/sro0001/rpp10/ht3/bt09/index.html>

components: a shorter building, a tower and central atrium. The shorter nine-story structure would be on the eastern portion of the site; the 58-story tower would be on the western portion of the site, oriented along Mission and Fremont Streets; and the three-story central atrium would connect the shorter structure and the tower. The project would include an indoor publicly accessible garden at the ground level, and a private roof garden at the fourth level. The glass facade of the tower would differ from other nearby high-rise structures, which are typically clad with a combination of masonry panels and glass. The project would include landscape and streetscape features.

The massing of the proposed building tower would differ from highrises in the project area, in that it would be slender and thus less bulky than surrounding buildings. It would not have the traditional building base, middle and top of older office buildings and those approved according to Downtown Plan guidelines. The project would have a tall, slender tower connected to a shorter nine-story office building by a transparent central atrium.

The nearest major public open spaces are Justin Hermann Plaza, about three blocks east along The Embarcadero, and Yerba Buena Gardens about three and one-half blocks west along Third Street. The project would be visible from these public open spaces against a backdrop of other high-rise buildings; the project would not substantially alter the view. Although it would be one of the taller buildings near the Transbay Terminal, it would be part of a large group of high-rise buildings. Because of intervening buildings, the view from these open spaces would include the uppermost portion of the proposed building. The project would be visible from public open spaces, including those mentioned and the Transbay Terminal Plaza, and private, publicly accessible spaces such as the plaza associated with the 201 Mission Street building, the PG&E building plaza at 245 Market Street, and the Fremont Center Plaza at 50 Fremont Street. In summary, visual changes on the site would not substantially change or block scenic views or vistas available to the public from open spaces in the area. From long-range vantage points, such as Portrero Hill and Twin Peaks, the project would appear among a number of high-rise buildings forming the City skyline.

The project would be constructed within an increasingly densely built urban area zoned for high-density high-rise development. Although the building's height would be visible from surrounding buildings and other viewpoints, the project would not obstruct publicly accessible scenic views nor have a substantial adverse effect on a scenic vista.

The proposed project would include outdoor lighting typical of retail, hotel, and multi-unit residential buildings in the project vicinity. It would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. Thus the project would not produce unusual light and glare affecting other properties, nor would it interfere with nighttime views.

Allowable exceptions under Planning Code Section 309, regarding bulk limits and an additional 10% height upper tower extension have been requested under Planning Code Section 263.9, and these would not cause potentially significant effects. Zoning for this C-3-O and the nearby C-3-O (SD) areas envisioned, and allows for, the most dense development in the City and for tall buildings around the City's transit hub, the Transbay Terminal.

Although visual quality is subjective, given the project's proposed exterior materials and the fact that the project would be part of a group of high-rise buildings and within the existing height and bulk zoning for the site, with allowable exceptions, the proposed building would not result in a substantial, demonstrable adverse aesthetic effect, nor would it substantially degrade the visual character of the site and its surroundings.

In light of the above, the project would not result in significant impacts related to visual quality and urban design, and this topic requires no further discussion in the EIR. Because of the height and bulk of the proposed building, design-related Planning Code Section 309 exceptions being requested, and the additional 10% height (upper tower extension) requested under Planning Code Section 263.9, visual quality will be discussed in the EIR for informational purposes, to place the project in context. The EIR will provide several photomontages of the proposed building in the context of surrounding existing and approved structures.

3. <u>Population</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Induce substantial growth or concentration of population?	—	<u>X</u>	<u>X</u>
b. Displace a large number of people (involving either housing or employment)?	—	<u>X</u>	<u>X</u>
c. Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	—	<u>X</u>	<u>X</u>

Uses in the proposed project would be consistent within the C-3-O (Downtown Office) district, which permits high-density commercial and residential uses. Hotel uses require Conditional Use authorization (CU) in this use district, and Downtown office core, where office use is the predominant land use, and a principal permitted use.

The proposed project would demolish a total of about 173,650 sq.ft. of existing commercial space.¹² At full occupancy, the site is estimated to have included approximately 510 office employees, and approximately 60 retail employees; a total of approximately 570 employees.¹³ The businesses and employees on the site would be expected to relocate, or to have relocated,

¹² The demolition would include about 140,000 gsf of office space, about 20,200 of retail space and about 13,450 gsf of basement storage space. Approximately 130,000 gsf of office space comprising 301 Mission Street was required to be demolished following the Loma Prieta earthquake.

¹³ Based on a standard multiplier of 275 sq.ft. per employee in office space, based on San Francisco Planning Department transportation analysis guidelines and Keyser Marston Associates, Inc., *San Francisco Cumulative Growth Scenario: Final Technical Memorandum*, prepared for the San Francisco Redevelopment Agency, March 30, 1998 (Hereinafter Keyser Marston Associates, Inc., March 1998). Retail employment density estimated at 350 sq.ft. per employee, based on San Francisco Planning Department transportation analysis guidelines.

within San Francisco or elsewhere in the Bay Area. Business displacement in this context is an economic impact that would not be a physical environmental impact under CEQA.

The proposed office use would be expected to include approximately 480 office employees, the proposed retail use approximately 20 retail employees, the proposed hotel approximately 100 employees.¹⁴ There would also be about 15 parking, janitorial, maintenance and building management employees. The proposed development would be expected to add a total of approximately 615 employees to San Francisco's economy, for a net increase of approximately 45 employees on the site.¹⁵

This increase in employment would be about 0.006% of total employment of 731,660 employees projected for San Francisco in year 2020, and it would be about 0.04% of employment growth of 102,800 jobs projected from 2000-2020.¹⁶ This potential increase in employment would be very small in the context of total employment in San Francisco.

Increases in a city's employment in turn increase demand for local housing. San Francisco is the central city (and most urban place) in an attractive region and consistently ranks as one of the most expensive housing markets in the United States. The San Francisco Bay Area is known for its agreeable climate, open space, recreational opportunities, cultural amenities, a strong and diverse economy, and prominent educational institutions. As a regional employment center, San Francisco attracts people who want to live close to where they work. These factors continue to support a strong demand for housing in San Francisco. Providing new housing to meet this strong demand is particularly difficult because the amount of land available is limited and land and development costs are relatively high.

During the period of 1990-2000, the number of new housing units completed citywide ranged from a low of about 380 units (1993) to a high of about 2,065 units (1990) per year. The citywide annual average over that 11-year period was about 1,130 units.¹⁷

In March 2001, the Association of Bay Area Governments (ABAG) projected regional needs in the Regional Housing Needs Determination (RHND) 1999-2006 allocation. The projected need of the City for 2006 is 20,372 dwelling units or an average yearly need of 2,716 net new dwelling units. The proposed project would add about 271 residential units to the City's housing stock, towards meeting this need.

¹⁴ *Ibid.* Based on employment density factors of 275 sq.ft. per employee for office use, of 350 sq.ft. per employee for retail use, and of 0.75 employee per hotel room.

¹⁵ The addition of 615 jobs minus displacement of 570 jobs (as estimated for full occupancy of the existing buildings on the project site) would bring the net new employment at the site to approximately 45.

¹⁶ Data from Association of Bay Area Governments, *Projections 2000*, located at <http://www.abag.ca.gov/abag/overview/pub/p2000>

¹⁷ San Francisco Planning Department, *Data and Needs Analysis - Part 1 of the 2001 Housing Element Revision*, June 1, 2001, p. 23.

Based on an employed-resident density factor of 1.63 employee per household,¹⁸ the increase in employment due to project development would create an additional demand for about 28 residential units (45 net new jobs divided by a factor of 1.63 employees per household results in a demand for 28 residential units). The demand for about 15 residential units would have to be met by housing in San Francisco; the demand for the remaining 13 units would be met by housing outside the City.¹⁹ Thus, the project would not create substantial demand for new housing. The project is a mixed-use development and proposes to build about 271 residential units as noted. Housing demand in and of itself is not a physical environmental effect. An imbalance between local employment and housing, however, can lead to long commutes with corresponding traffic and air quality impacts. Traffic and Air Quality effects associated with project implementation will be analyzed in the EIR.

As stated above, there is substantial demand for new residential units in San Francisco. Based on standard household density factors (about 1.8 persons per dwelling unit) in use in San Francisco,²⁰ the proposed development is estimated to accommodate approximately 488 people. Currently, there are no residential units on the site. The increase in numbers of residents on the project site would not substantially increase the area-wide population, and the resulting density would not exceed levels that are common and accepted in high density urban areas such as San Francisco. Therefore, the project's population increase would not be a significant effect.

Based on the above analysis, no significant physical environmental effects on housing demand or population would occur due to the project, and these issues require no further analysis in the EIR.

4. <u>Transportation/Circulation</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?			<u>To be determined</u>
b. Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?			<u>To be determined</u>

¹⁸ Keyser Marston Associates, Inc. and Gabriel Roche, Inc., *Jobs Housing Nexus Analysis, City of San Francisco*, July 1997, Section III, p. 32.

¹⁹ Op. cit., Keyser Marston Associates, Inc., July 1997, Section III, p. 33. It is assumed that about 55% of San Francisco employees will seek housing in San Francisco.

²⁰ City and County of San Francisco Planning Department and San Francisco Redevelopment Agency, *Mission Bay Final Subsequent EIR*, Planning Department File No. 96.771E, SCH No. 97092068, Vol. IV, Appendices, Table C.6, p. C.5, certified September 17, 1998. The project proposes about 271 residential units.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
c. Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?			<u>To be determined</u>
d. Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?			<u>To be determined</u>

The proposed commercial and residential uses of the project would generate a demand on the local transportation system, including increased traffic, transit demand, and parking demand. The EIR will analyze project effects related to transportation and circulation, including intersection operations; transit demand; and impacts on pedestrian circulation; parking; bicycles; and freight loading, as well as construction impacts. The analysis will take into account the Bay Bridge west span retrofit construction activities (scheduled to be completed by early 2002),²¹ and the planned transit oriented development associated with the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Plan project.

5. Noise - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Increase substantially the ambient noise levels for adjoining areas?	—	<u>X</u>	<u>X</u>
b. Violate Title 24 Noise Insulation Standards, if applicable?	—	<u>X</u>	<u>X</u>
c. Be substantially impacted by existing noise levels?	—	<u>X</u>	<u>X</u>

Outdoor noise in the vicinity of the project area includes numerous potential sources of noise. The most significant existing source of noise throughout most of San Francisco is traffic. This is especially true of the project area because of the proximity of Interstate 80 and the Bay Bridge connection routes, the Transbay Transit Terminal bus ramps, and traffic, including transit on Mission Street. Non-traffic noise sources in the area include temporary noise from construction of other developments in the vicinity, such as the Interstate 80 freeway ramps and the Bay Bridge seismic retrofit. The nearest sensitive receptors to the project site are scattered residential uses in the area, including the residential development at 388 Market Street, at the corner of Market and Pine Street north of the project, as well as the institutional/educational uses at Heald College School of Business and Technology on the block immediately north of the project site, and at Golden Gate University about one and one-half blocks west of the site.

Construction Noise. Demolition, excavation and building construction would temporarily increase noise in the site vicinity. Construction activities from the project potentially could include excavation and hauling, foundation construction, steel erection, and finishing. The

²¹ See Caltrans website for schedule: <http://www.dot.ca.gov/dist4/eastspans/projects.html>.

construction period, including demolition and grading, would last approximately 36 months. Approximately four months would be devoted to demolition, excavation, and grading; approximately six months would be devoted to foundation and other below-grade work; and approximately 26 months would be devoted to erection and finishing. Construction noise levels would fluctuate depending on construction phase, equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers. Impacts would be temporary and intermittent, and would be limited to the period during which the foundations and exterior structural and facade elements would be built. Interior construction noise would be substantially reduced by the exterior walls.

The buildings would probably have pile foundations; therefore pile driving would be likely to occur. Pile driving would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby buildings. In general, pile driving noise could be about 90 decibels (dBA) during impact at about 100 feet from the site. Pile driving would be expected to last up to about two months. Noise levels at receptors near the project site would depend on their distance from the source and on the presence or absence of noise barriers. The noise of the pile driver would be most noticeable directly in front of the construction site. Vibrations from the pile driving could be felt in adjacent buildings, such as the Transbay Terminal, and nearby retail and office buildings.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 ft. from the source. Impact tools, such as jackhammers and impact wrenches, must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works. The project demolition and construction operations would comply with the Noise Ordinance requirements. Compliance with the Noise Ordinance is required by law and would reduce any impacts to a less-than-significant level.

To further minimize noise and vibration from pile driving, the project sponsor would require project construction contractors to predrill holes to the maximum depth feasible on the basis of soil conditions. Contractors would be required to use construction equipment with state-of-the-art noise shielding and muffling devices. The project sponsor would also require that contractors schedule pile driving activity for times of the day that would minimize disturbance to neighbors, consistent with the Noise Ordinance. See Mitigation Measure 1, p. 48.

Construction of other nearby projects, such as in the proposed Transbay Redevelopment Project Area, that might coincide with construction of the proposed development could temporarily increase the overall noise levels in the immediate vicinity of construction activities, as the noise intensity would be greater with a larger number of noise sources. Construction in the proposed Transbay Redevelopment Project Area would be spread over a number of years. There could be increased intensity of impacts with overlapping construction, or impacts could extend over a longer period of time, if construction is in sequence. Noise from overlapping construction or construction in sequence would remain temporary and intermittent.

Based on the above analysis, construction noise would not be significant and requires no further analysis in the EIR.

Traffic Noise. Ambient noise levels in the vicinity of the project are typical of noise levels in downtown San Francisco. The ambient noise is dominated by vehicular traffic, including trucks, cars, transit, and emergency vehicles. Generally, traffic must double in volume to produce a noticeable increase in noise levels. Traffic volumes would not be expected to double as a result of the project; therefore, substantial increases in traffic noise levels would not be anticipated in the project area. Traffic noise will not be analyzed further in the EIR.

Building Equipment Noise. The proposed project would include mechanical equipment, such as air conditioning units and chillers, which could produce operational noise. These operations would be subject to the San Francisco Noise Ordinance, Article 29, Section 2909, which limits noise from building operations. Substantial increases in the ambient noise level due to building equipment noise would not be anticipated. At the project location, operational noise would not be expected to be noticeable, given background noise levels in this area. No further analysis is necessary and the EIR will not discuss building equipment noise further.

Interior Noise and Existing Noise Levels

Residential and hotel uses would be included in the proposed development. Title 24 of the California Code of Regulations establishes uniform noise insulation standards for residential projects (including hotels and motels). The Department of Building Inspection (DBI) would review the final building plans to insure that the building wall and floor/ceiling assemblies meet state standards regarding sound transmission.

The existing background noise levels in the project area are typical of, or possibly higher than typical noise levels in downtown San Francisco. The existing noise would be occasionally noticeable within the proposed building and would dominate the noise environment of the proposed project's exterior publicly accessible open space (the outdoor terraces on the south side of the site). Because the proposed development would comply with the Title 24 noise insulation requirements, the existing noise environment would not significantly affect occupant use. Based on this information, the effect of existing noise levels on the proposed development will not require further analysis in the EIR.

In summary, with the mitigation measure identified herein, noise impacts, including construction, traffic, operational, and interior noise, would not have a significant impact and require no further analysis in the EIR.

6. <u>Air Quality/Climate</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?			<u>To be determined</u>

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
b. Expose sensitive receptors to substantial pollutant concentrations?	—	<u>X</u>	<u>X</u>
c. Permeate its vicinity with objectionable odors?	—	<u>X</u>	<u>X</u>
d. Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?	<u>To be determined</u>		

Effects on Ambient Air Quality

Construction Emissions. Demolition, excavation, grading, foundation and other ground disturbing construction activity would temporarily affect localized air quality for up to about six months, causing a temporary increase in particulate dust and other pollutants. Excavation and movement of heavy equipment could create fugitive dust and emit nitrogen oxides (NO_x), carbon monoxide (CO), sulphur dioxide (SO₂), reactive organic gases, or hydrocarbons (ROG or HC), and particulate matter with a diameter of less than 10 microns (PM₁₀) as a result of diesel fuel combustion.

Dust emission during demolition and excavation would increase particulate concentrations near the site. Dustfall can be expected at times on surfaces within 200 to 800 feet. Under high winds exceeding 12 miles per hour, localized effects including human discomfort might occur downwind from blowing dust. Construction dust is composed primarily of particularly large particles that settle out of the atmosphere more rapidly with increasing distance from the source and are easily filtered by human breathing passages. In general, construction dust would result in more of a nuisance than a health hazard in the vicinity of construction activities. About one-third of the dust generated by construction activities consists of smaller size particles in the range that can be inhaled by humans (i.e. particles 10 microns or smaller in diameter known as PM₁₀), although those particles are generally inert. More of a nuisance than a hazard for most people, this dust could affect persons with respiratory diseases immediately downwind of the site, as well as sensitive electronics or communications equipment.

While construction emissions would occur in short-term, temporary phases, they could cause adverse effects on local air quality. The Bay Area Air Quality Management District (BAAQMD), in its CEQA Guidelines, has developed an analytical approach that obviates the need to quantitatively estimate these emissions. To this end, the BAAQMD has identified a set of feasible PM₁₀ control measures for construction activities. The project would include these measures to reduce the effects of construction activities to an insignificant level. They would include wetting down the site twice daily, covering soil, sand, and other material; and daily street sweeping around the demolition and construction sites (see Mitigation Measure 2 on pp. 48-49). San Francisco Ordinance 175-91, adopted by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, contractors would obtain reclaimed water from the San Francisco Clean Water Program. Because the project would

include this mitigation measure and measures required by ordinance, it would not cause significant construction-related air quality effects. Therefore, the EIR will not address these effects further.

Traffic Emissions. Air quality impacts from the proposed project, as well as cumulative impacts related to development of the project and other projects in the vicinity, would occur due to increased traffic in the region. Region-wide emissions will be assessed in the EIR and compared to the BAAQMD's significance thresholds for regional impacts. Also of concern are CO emissions and the possibility of exceeding CO standards at congested intersections and near sensitive receptors. The impact of vehicular CO emissions on local ambient air quality will be assessed in the EIR. CO concentrations will be estimated for existing, existing-plus-project, and future-with-project conditions. The results of the analysis will be compared to state and federal ambient air quality standards to evaluate impacts.

Toxic Air Contaminant Emissions/Objectionable Odors

The proposed project would include new retail, office, hotel and residential space, as well as new parking areas. These uses could require operation of natural-gas-fired boilers or chillers that could emit trace quantities of toxic air contaminants, but they are not expected to have the potential to generate toxic air contaminants in substantial amounts or create objectionable odors. Therefore, the EIR will not discuss this issue further.

Wind

In order to provide a comfortable wind environment for people in San Francisco, the City established specific comfort criteria to be used in the evaluation of proposed buildings in certain areas of the City. The City Planning Code thus sets forth wind criteria for the proposed project, which is in the C-3 District. Planning Code Section 148(a) establishes comfort criteria of 11 miles per hour (mph) equivalent wind speed for pedestrian areas and 7 mph for seating areas, not to be exceeded more than 10% of the time year-round, between 7:00 a.m. and 6:00 p.m. Section 148(a) also establishes that no building or addition would be permitted in C-3 districts that would cause equivalent wind speeds to exceed the hazard level of 26 miles per hour for more than a single full hour per year. No exception may be granted to this latter criterion. The project would develop the site with a building ranging in height from about 125 feet to about 605 feet, about 535 feet taller than the tallest existing building on the site. Because the project would result in a substantial increase in height and mass on the site, and because of the requirements of Section 148 (a), the EIR will analyze the project's effects on existing wind conditions. A wind tunnel test will be performed and the effects of the project will be compared to the applicable criteria.

Shadow

City Planning Code Section 295 restricts net new shadow upon public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet unless the City Planning Commission, in consultation with the Recreation and Park Department, finds the impact to be insignificant. Shadow studies prepared pursuant to Section 295 show that the project would not cast any net new shadow on potentially affected open spaces under the

jurisdiction of the Recreation and Park Department including Justin Hermann Plaza, Union Square, St. Mary's Square, Portsmouth Square, the Chinese Playground, and Maritime Plaza. Therefore, project shadows would not have a significant impact.²² The proposed project would increase shadows on the existing Transbay Terminal Plaza, and could potentially increase shadows on other publicly accessible open spaces and sidewalks in the vicinity. A shadow study showing project shadow in the project vicinity, over the day and year, will be completed. The EIR will discuss its results for informational purposes.

7. <u>Utilities/Public Services</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Breach published national, state or local standards relating to solid waste or litter control?	—	<u>X</u>	<u>X</u>
b. Extend a sewer trunk line with capacity to serve new development?	—	<u>X</u>	<u>X</u>
c. Substantially increase demand for recreation or other public facilities?	—	<u>X</u>	—
d. Require major expansion of power, water, or communications facilities?	—	<u>X</u>	<u>X</u>

The proposed project is on a site that is currently served by fire, police, solid waste collection, recreational facilities, water, gas, and electricity. The project proposes to increase development on the site. Thus, the project would increase the demand for and use of public services and utilities on the site, and would increase water and energy consumption, but not in excess of amounts expected and provided for in this area. No need for any expansion of public utilities or public service facilities is anticipated due to the project.

Downtown residential units are less likely to be occupied by families with children, than units elsewhere in the City. Even assuming the project's residential space were to be occupied by the number of children typical of San Francisco as a whole, there could be up to 72 school-age children (spread among elementary school, middle school and high school) living in the proposed residential units.²³ Given this number of additional new students, development of the proposed project would not require the construction of a new school, and all new students could

²² CADP, 301 Mission Street, *Analysis of Shadows on Recreation and Park Department Properties*, January 11, 2002. This report is on file with the Planning Department, 1660 Mission Street, San Francisco, and is available for public review as part of the project file.

²³ City and County of San Francisco Planning Department and San Francisco Redevelopment Agency, *Mission Bay Final Subsequent EIR*, Planning Department File No. 96.771E, SCH No. 97092068, Vol. IV, Appendices, L. Community Services and Utilities, pp. L.3-4 and Table L.1, p. L.5, certified September 17, 1998. For typical San Francisco neighborhoods, this report estimates children of ages 5 through 9 comprise about 5.5% of the total population; children of ages 10 through 14 comprise about 6% of the total population; and children of ages 15 through 17 comprise about 3.3% of the total population. Therefore, there could be as many as 72 school-age children amongst the projected 488 occupants of the proposed project.

be accommodated by existing schools under the jurisdiction of the San Francisco Unified School District (SFUSD). The project would be required to pay City school fees.

Therefore, the project would result in a less-than-significant impact on public services and utilities, and this topic will not be included in the EIR.

Power and Communications Facilities

The project site is served by power and communication facilities. The new building would require typical utility connections and could tap into existing power and communications grids. Therefore, no new power or communications facilities would be necessary as a result of project implementation.

The proposed project would increase demand for and use of public services, but not in excess of amounts expected and provided for in this area. San Francisco consumers have recently experienced rising energy costs and uncertainties regarding the supply of electricity. The root causes of these conditions are under investigation and are the subject of much debate. Part of the problem is thought to be that the State does not generate sufficient energy to meet its demand and must import energy from outside sources. Another part of the problem may be the lack of cost controls as a result of deregulation. The California Energy Commission (CEC) is currently considering applications for the development of new power-generating facilities in San Francisco, the Bay Area, and elsewhere in the State. These facilities could supply additional energy to the power supply “grid” within the next few years. These efforts, together with conservation, will be part of the statewide effort to achieve energy sufficiency. The project would not be built and occupied until about 2005; therefore, additional generating facilities may have been completed by the time the project is in operation. The project-generated demand for electricity would be negligible in the context of the overall demand with San Francisco and the State, and would not in and of itself require a major expansion of power facilities. Therefore, the energy demand associated with the proposed project would not result in a significant physical environmental effect.

8. Biology - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Substantially affect a rare or endangered species of animal or plant, or the habitat of the species?	<u>—</u>	<u>X</u>	<u>X</u>
b. Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	<u>—</u>	<u>X</u>	<u>X</u>
c. Require removal of substantial numbers of mature, scenic trees?	<u>—</u>	<u>X</u>	<u>—</u>

No known rare, threatened or endangered species are known to exist in the vicinity. The proposed project is in a developed urban area and does not support or provide habitat for any

rare or endangered wildlife species. No other important biological resources exist on the site, which is completely covered by impervious surfaces and a vacant lot that does not provide habitat. Development of the site would not affect plant or animal habitats. The project would not interfere with any resident or migratory species. Therefore, this topic requires no further analysis and will not be discussed in the EIR.

9. <u>Geology/Topography</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction)?	—	<u>X</u>	<u>X</u>
b. Change substantially the topography or any unique geologic or physical features of the site?	—	<u>X</u>	<u>X</u>

Geological Hazards

The Community Safety Element of the *San Francisco General Plan* contains maps that show areas of the City subject to geologic hazards. The project site is located in an area subject to “non-structural to moderate” damage (Modified Mercalli Intensity VII to VIII) from seismic groundshaking originated by a characteristic earthquake (Moment Magnitude 7.1) along the San Andreas fault approximately six miles southwest of San Francisco, and the Northern Hayward fault approximately 12 miles northeast of San Francisco (Maps 2 and 3 in the Community Safety Element). During a major earthquake on a segment of one of the nearby faults, strong to very strong shaking is expected to occur at the project site.²⁴ The project site is not in an area subject to landslide, seiche or tsunami run-up, or reservoir inundation hazards (Maps 5, 6, and 7 in the Community Safety Element).²⁵ The project site is not in an Alquist-Priolo Earthquake Fault Zone.²⁶

The project site is located in an area of liquefaction potential (Map 4 of the Community Safety Element of the *San Francisco General Plan*), in a Seismic Hazards Study Zone (SHSZ) designated by the California Division of Mines and Geology.²⁷ For any development proposal in an area of liquefaction potential, the DBI will, in its review of the building permit application, require the project sponsor to prepare a geotechnical report pursuant to the State Seismic

²⁴ Treadwell & Rollo, Inc., *Geotechnical Investigation for 301 Mission Street, San Francisco, California*, August 14, 2001, (hereinafter Treadwell & Rollo, *Geotechnical Investigation*), p. 11. This report is on file with the Planning Department, 1660 Mission Street, San Francisco, and is available for public review as part of the project file.

²⁵ *Ibid.* See also City and County of San Francisco, *Community Safety Element, San Francisco General Plan*, April 1997.

²⁶ California Division of Mines and Geology, *Fault Rupture Hazards Zone in California, Alquist-Priolo Earthquake Fault Zoning Act with Index to Earthquake Fault Zone Maps*, Special Publication 42, revised 1997, Figure 4B.

²⁷ *Ibid.*

Hazards Mapping Act. The report would assess the nature and severity of the hazard(s) on the site and recommend project design and construction features that would reduce the hazard(s).

A preliminary geotechnical investigation was prepared for the project site by a California-licensed geotechnical engineer, and is summarized here.²⁸ The project site is generally flat and the site elevation is approximately nine feet above mean sea level.²⁹ The project site is a filled portion of Yerba Buena Cove.³⁰ Three existing buildings and a fenced, vacant lot presently occupy the site. The 345 Mission Street vacant lot was formerly occupied by a nine-story building with one basement level. The building was demolished after it was damaged in the 1989 Loma Prieta earthquake; the rubble and building debris from the demolition were used to fill the basement level. The old basement slab and foundations are still present beneath the site.³¹ The old basement slab, consisting of about five to eleven inches of concrete, was encountered approximately 11 feet below the ground surface. About three feet of concrete was encountered below the old basement slab, to depths of about 15 to 17 feet below the ground surface.³²

The geotechnical investigation indicates the subsurface conditions at the site consist of up to 23 feet of heterogenous fill. The fill generally consists of very loose to loose sandy gravel and gravelly sand with large amounts of rubble, which includes concrete, wood and brick debris.³³ The fill is underlain by relatively compressible Marine Deposits extending to depths of about 43 to 44 feet below the ground surface. The Marine Deposits consist primarily of very soft to medium stiff clay, clay with sand and sandy clay interbedded with very loose to medium dense sand and clayey sand.³⁴ Consolidation tests performed on representative samples of the clay show that it is overconsolidated.³⁵ Below the Marine Deposits, dense to very dense sand with varying amounts of clay and silt was encountered. The sand extended to depths ranging from 80 to 101 feet below the ground surface. Some interbedded layers of medium dense sand and medium stiff to stiff sandy clay, approximately seven to twelve feet and five to eleven feet in thickness, respectively, were also encountered within the dense-to-very-dense sand layer. The sandy soil is underlain by stiff to hard clay and sandy clay, locally known as Old Bay Clay, to the maximum explored depth of 155.5 feet below the ground surface.³⁶

²⁸ Treadwell & Rollo, *Geotechnical Investigation*.

²⁹ Treadwell & Rollo, Inc., *Phase I, Environmental Site Assessment for 124 Beale Street, 129 Fremont Street, 301 Mission Street, and 345 Mission Street, San Francisco, California*, June 28, 2001, (hereinafter Treadwell & Rollo, *Phase I*), p. 3. This report is on file with the Planning Department, 1660 Mission Street, San Francisco, and is available for public review as part of the project file.

³⁰ According to the 1853 U.S. Coast Survey Map of San Francisco.

³¹ Treadwell & Rollo, *Geotechnical Investigation*, p. 6. The type of foundation system the building was supported on is unknown, as foundation plans for the previous building are not available at this time.

³² *Ibid.*, p. 7. The old basement slab and concrete are remnants of the foundation system for the nine-story structure that previously existed at this lot.

³³ *Ibid.*, p. 6.

³⁴ *Ibid.*

³⁵ *Ibid.*, p. 7. Overconsolidated soil has experienced greater loads than the present weight of soil overburden.

³⁶ *Ibid.*

Groundwater was encountered on site at elevations ranging from 12 to 15.5 feet below the ground surface. On the basis of available groundwater information at nearby sites, including the 199 Fremont Street site, the groundwater level at the project site was estimated to be about 10 to 12 feet below the ground surface.³⁷ The high groundwater level at the project site was judged to be about 6 feet below the ground surface.³⁸ Regional groundwater flow in the area is believed to be to the north-northeast, towards San Francisco Bay.³⁹

The proposed project would require excavation to a depth of about 40 feet below street grade and would result in the removal of about 74,300 cubic yards of soil. The loose to medium-dense sand and a large amount of Marine Deposits below the fill, encountered in the upper 35 feet, would be removed during excavation for the proposed basements.⁴⁰ Therefore, settlement from differential compaction would not occur below the foundation level. However, layers of saturated, loose to medium-dense sand exist below the proposed basement excavation, within the Marine deposits and the dense sand layer below. Analyses of subsurface information indicate the saturated, loose to medium-dense clayey and silty sand encountered below the proposed excavation is susceptible to liquefaction during a moderate to large earthquake on one of the nearby faults. It is estimated that liquefaction-induced settlement of about one inch may occur beneath the building footprint.⁴¹ According to the report, outside of the excavation, significant subsidence of streets and sidewalks could occur during an earthquake. This settlement is expected to be random and erratic, and could disrupt utilities and damage sidewalks and streets.

The primary technical concerns are the magnitude of seismically-induced ground settlement resulting from liquefaction; the presence of compressible Marine Deposits below the entire site; the depth of excavation for the three basement levels; the presence of Marine Deposits at the proposed base of excavation; and the presence of groundwater at a higher level than the proposed excavation depth.

The report contains recommendations summarized below:

Foundations. Because of the composition of the subsurface material at the site, it is recommended that the building structure proposed for the site be supported by deep (driven piles) foundations.⁴² The report recommends predrilling of piles.

Shoring. Excavations deeper than five feet entered by workers should be shored or sloped for safety in accordance with the Occupational Safety and Health Administration (OSHA) standards (29 CFR Part 1926). Because there is insufficient space to slope the sides of the deep excavations, the proposed structure would need shoring.⁴³ Therefore, shoring requirements

³⁷ *Ibid.*, p. 8. It is anticipated that the groundwater level would vary a little seasonally depending on the amount of rainfall and time of the year. Previous studies in the area encountered groundwater at an approximate depth of 14 feet below ground surface. See Treadwell & Rollo, *Phase I*, p. 3.

³⁸ *Ibid.*, p. 8.

³⁹ Treadwell & Rollo, *Phase I*, p. 3.

⁴⁰ *Ibid.*, pp. 12-13.

⁴¹ *Ibid.*, p. 12.

⁴² Treadwell & Rollo, *Geotechnical Investigation*, p. 13.

⁴³ *Ibid.*

would be an important construction consideration.⁴⁴ The Treadwell & Rollo geotechnical report recommends soldier pile and lagging, SPTC (soldier pile tremie concrete), and soil/cement walls as the best options for shoring.⁴⁵

Site Preparation and Grading. Old building slabs, foundations and other obstruction would be encountered during installation and excavation within the sandy fill.⁴⁶ On-site fill is suitable for reuse provided it is acceptable from an environmental standpoint and meets certain technical requirements.⁴⁷

Dewatering. Because of the shallow nature of the water table, it is likely that dewatering would be necessary⁴⁸ (discussed further in the “Water” section herein) to reduce the potential settlement effects of dewatering on nearby streets and properties.

The geotechnical report found the site suitable for development, providing that the recommendations included in the report were incorporated into the design and construction of the proposed development. The sponsor has agreed to follow the recommendations of the report in constructing the project.

To ensure compliance with all San Francisco Building Code provisions regarding structural safety, when DBI reviews the geotechnical report and building plans for a proposed project, it will determine necessary engineering and design features for the project to reduce potential damage to structures from groundshaking and liquefaction. Therefore, potential damage to structures from geologic hazards on the project site would be mitigated through the DBI requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the Building Code.

Topography/Unique Geological Features

The site is essentially level. The proposed project would not alter the topography of the site, or otherwise affect any unique geologic or physical features of the site.

In view of the above, the project would not have a significant effect regarding geology, provided the geotechnical engineer’s recommendations are followed. Therefore, this topic requires no further analysis in the EIR.

⁴⁴ *Ibid.* Shoring, dewatering, excavation monitoring and unstable subgrade are discussed in detail in the Treadwell & Rollo report on pp. 14-18. According to the report (p. 14), additional concerns are the presence of concrete rubble and debris in the fill, and the presence of Marine Deposits exposed at the base of the basement excavation.

⁴⁵ *Ibid.*, p. 15.

⁴⁶ *Ibid.*, p. 18.

⁴⁷ *Ibid.*

⁴⁸ *Ibid.* Excavation for the basement level would extend about 33 feet below the high groundwater level.

10. <u>Water</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Substantially degrade water quality, or contaminate a public water supply?	—	<u>X</u>	<u>X</u>
b. Substantially degrade or deplete ground-water resources, or interfere substantially with groundwater recharge?	—	<u>X</u>	<u>X</u>
c. Cause substantial flooding, erosion or siltation?	—	<u>X</u>	<u>X</u>

Water Quality

The project would not substantially degrade water quality or contaminate a public water supply. All sanitary wastewater from the proposed buildings and stormwater runoff from the project site would be collected and treated at the Southeast Water Pollution Control Plant prior to discharge in San Francisco Bay. Treatment would be provided pursuant to the effluent discharge limitations set by the Plant's National Pollutant Discharge Elimination System (NPDES) permit. See "Flooding, Erosion, and Siltation" below for a discussion of water quality during construction.

Reclaimed Water. The project site is within the Eastside Reclaimed Water Use Area designated by Section 1029 of the Reclaimed Water Use Ordinance (approved November 7, 1991), which added Article 22 to Part II, Chapter X of the San Francisco Municipal Code (Public Works Code). Effective 180 days from the date of the ordinance, non-residential projects over 40,000 sq. ft. which require a site permit, building permit, or other authorization, and are located within this area shall provide for the construction and operation of a reclaimed water system for the transmission of reclaimed water within buildings and structures. That is, the building would need to be designed with separate plumbing to service uses (e.g. toilets) that could employ reclaimed water. The ordinance also requires that owners, operators, or managers of all such development projects register their project with the Water Department. The Water Department will then issue a certificate of intention to use reclaimed water, and reclaimed water shall be used unless the Water Department issues a certificate exempting compliance because reclaimed water is not available, an alternative water supply is to be used, or the sponsor has shown that the use of reclaimed water is not appropriate. The appropriate use of reclaimed water, when it becomes available, would reduce consumption of potable water in the area.

Groundwater

A large portion of the project site is covered with three existing buildings; the remainder of the site is vacant unpaved land. The project site would be entirely covered with the proposed project. The project would include excavation to about 40 feet in depth to accommodate three levels of underground parking. A geotechnical report for the project site indicated the presence

of groundwater at depths of approximately 10 to 12 feet below the ground surface.⁴⁹ The high groundwater level was estimated to be six feet below the ground surface. Because of the shallow water table, it is likely that temporary dewatering would be necessary for this project.

Any groundwater encountered during construction of the proposed project would be subject to requirements of the City's Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. Any groundwater pumped from the site shall be retained in a holding tank to allow suspended particles to settle, if this is found necessary by the Bureau of Environmental Regulation and Management of the S.F. Public Utilities Commission, to reduce the amount of sediment entering the storm drain/sewer lines. The Bureau must be notified of projects necessitating dewatering, and may require water analysis before discharge.

The preliminary geotechnical report indicates the potential for structural damage to surrounding structures and utilities due to temporary dewatering at the project site. A final soils report would be required by the DBI to address the potential settlement and subsidence impacts of this dewatering. Based upon this discussion, the report would contain a determination as to whether or not a lateral movement and settlement survey should be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey is recommended, the DBI would require that a Special Inspector (as defined in Article 3 of the Building Code) be retained by the project sponsor to perform this monitoring. Groundwater observation wells would be installed to monitor the level of the water table and other instruments would be used to monitor potential settlement and subsidence. If, in the judgment of the Special Inspector, unacceptable subsidence were to occur during construction, groundwater recharge would be used to halt this settlement. The project sponsor would delay construction if necessary. Costs for the survey and any necessary repairs to service lines under the street would be borne by the project sponsor.

Flooding, Erosion and Siltation

The site is partially covered with buildings and partially unpaved; therefore, the impervious surfaces at the site would be increased. Project-related wastewater and storm water runoff would continue to flow to the City's combined sewer system and would be treated prior to discharge to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant. During construction, requirements to reduce erosion would be implemented pursuant to California Building Code Chapter 33, Excavation and Grading. During operations, the project would comply with all local wastewater discharge requirements. Soil would be exposed during site preparation, but because the project site is relatively flat, the potential for substantial flooding, erosion, or siltation would be low.

Based on the above discussion, the project would not have a significant impact, and hydrology and water quality issues do not require further analysis in the EIR.

⁴⁹ *Ibid.*, p. 8. It is anticipated that the groundwater level would vary a little seasonally depending on the amount of rainfall and time of the year. Previous studies in the area encountered groundwater at an approximate depth of 14 feet below ground surface. See Treadwell & Rollo, *Phase I*, p. 3.

11. <u>Energy/Natural Resources</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	—	<u>X</u>	<u>X</u>
b. Have a substantial effect on the potential use, extraction, or depletion of a natural resource?	—	<u>X</u>	<u>X</u>

Energy Use

The project includes new residential units, an extended-stay hotel, office space, retail space and parking uses. Development of these uses would not result in use of large amounts of fuel, water or energy in the context of energy use throughout the City and region. The project demand would be typical for a project of this scope and nature and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. For this reason, the project would not cause a wasteful use of energy, and would have a less-than-significant impact on energy and natural resources, and no further analysis is required in the EIR.

Natural Resource Consumption

The project would use natural gas and coal fuel to generate the electricity for the project. The project would not use substantial quantities of other non-renewable natural resources. It would not use fuel or water in an atypical or wasteful manner. Therefore, the project would not have a significant effect on the use, extraction, or depletion of a natural resource, and no further analysis is required.

12. <u>Hazards</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected?	—	<u>X</u>	<u>X</u>
b. Interfere with emergency response plans or emergency evacuation plans?	—	<u>X</u>	<u>X</u>
c. Create a potentially substantial fire hazard?	—	<u>X</u>	<u>X</u>

Public Health Hazards and Hazardous Materials

The proposed project would involve residential, hotel, retail, and office development that would require relatively small quantities of hazardous materials for routine business and household

purposes, during project operation. The development would likely handle common types of hazardous materials, such as paints, cleaners, toners, solvents, and disinfectants. These commercial products are labeled to inform users of potential risks and to instruct them in appropriate handling and disposal procedures. Most of these materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers that handle hazardous materials, and adequately train workers. For these reasons, hazardous materials use by the project would not pose any substantial public health or safety hazards related to hazardous materials. The proposed project would have underground fuel tanks⁵⁰ on the site associated with an emergency generator and a water pump for fire fighting. The project would need approval from the DPH to install an underground fuel tank, in addition to approval from any other City department that has permit requirements.⁵¹ The fuel tanks would comply with current safety, hazards, and permit regulations and would not pose any unusual risk to public health or the environment.

Soil and Groundwater

Past Uses of Hazardous Materials. Past activities at the project site and in its vicinity have resulted in the release of contaminants into soil and groundwater. A Phase I Environmental Site Assessment, and a Phase II Environmental Site Characterization, performed on the site, were prepared for the site in June and August 2001, respectively.⁵² These studies list current and past operations, review environmental agency databases and records, report site reconnaissance observations, summarize potential contamination issues that warrant further investigation (Phase I report), and report laboratory test results for limited soil and groundwater sampling at the site, and preliminary recommendations regarding hazardous materials on site and soil handling procedures (Phase II report). The information available in the two studies is summarized below:

Previous studies in the area encountered groundwater at depths of approximately 10 to 14 feet below ground surface; high groundwater was estimated to be three feet below the ground surface.⁵³ Regional groundwater flow in the area is believed to be to the north-northeast, towards San Francisco Bay.⁵⁴ This suggests that former activities conducted at blocks to the south-southwest of the site have the highest potential to impact soil and groundwater beneath the site.

⁵⁰ Located at the first basement level.

⁵¹ Telephone conversation, Patrick Fosdahl, Senior Environmental Health Inspector, Department of Public Health with Turnstone Consulting, April 15, 2002.

⁵² Treadwell & Rollo, Inc., *Phase I Environmental Site Assessment for 124 Beale Street, 129 Fremont Street, 301 Mission Street, and 345 Mission Street, San Francisco, California*, June 28, 2001 (hereinafter *Phase I*); and Treadwell & Rollo, Inc., *Environmental Site Characterization for 301 Mission Street, San Francisco, California*, August 13, 2001 (hereinafter *Phase II*). These reports are on file with the Planning Department, 1660 Mission Street, San Francisco, and are available for public review as part of the project file.

⁵³ Treadwell & Rollo, *Geotechnical Investigation*, p. 8; and Treadwell & Rollo, *Phase I*, p. 3. The information is based on available information at nearby sites, including the 199 Fremont Street site.

⁵⁴ Treadwell & Rollo, *Phase I*, p. 3.

Manufacturing, industrial and commercial activities have been operating in the site area since at least the late 1880's, and these have the potential to impact soil and groundwater quality. The 301 Mission Street and 124 Beale Street properties were occupied by machine shops, boiler works, offices, the Dow Steam Pump Works, a restaurant, a kitchen and a wagon room from approximately 1887 to 1899. By 1899, T.J Moynahan's Boiler Works and the Dow Steam Pump Works had taken over all of both properties. By 1913, they were occupied by W. P. Fuller and Co. Paints, Oils, and Glass, and a machine shop. After about 1970, they were occupied by offices.⁵⁵

The 129 Fremont Street and 345 Mission Street properties were previously occupied by Bay City Iron Works and a vacant property from 1887 to approximately 1889. After 1889, these properties were occupied by N.H. Cook Belting Company (leather belts manufacturer), vacant lots, machine shops, and offices. By 1913, they were occupied by a machine shop and a foundry, with some areas still vacant. In 1949, these properties were reportedly occupied by Walton N. Moore Dry Goods Company, and a warehouse. From 1970 till about 1989, the buildings were occupied by Pacific Gas and Electric Company offices⁵⁶ After the 1989 Loma Prieta earthquake, the nine-story 345 Mission Street building was demolished because it was damaged, and the basement of the former building was filled in with the debris from the building demolition. Since then, the 345 Mission Street property has been fenced and vacant, and the 129 Fremont Street property has been used as offices.

Regulatory Database Search. The Phase I report contains the results of a search of several government databases and includes sites in the project vicinity that are listed as having documented use, storage, or releases of hazardous materials or petroleum products.⁵⁷ The review of public records indicated that the 124 Beale Street, 129 Fremont Street, and 345 Mission Street properties were not listed on any of the regulatory agency databases searched. No records were found at the San Francisco Department of Public Health (SFDPH) or San Francisco Fire Department (SFFD) regarding fuel or hazardous material releases related to these properties.⁵⁸ However, files were found at the SFDPH for the 301 Mission Street property. The search identified seven facilities (including one underground storage tank (UST) on site) within one-quarter mile of the site that appear on the regulatory agency lists with potential contamination or other hazardous material issues. All of the six off-site facilities were either cross gradient or down gradient from the project site and would not have caused contamination on the site. Moreover, these facilities were closed underground storage tanks (USTs) that require no further action.

Project Site

According the SFDPH files on the 301 Mission Street property, one 1,500-gallon underground storage tank (UST) containing bunker oil was abandoned-in-place at 301 Mission Street on

⁵⁵ Treadwell & Rollo, *Phase I*, pp. 3-5; and Treadwell & Rollo, *Phase II*, p. 2.

⁵⁶ Treadwell & Rollo, *Phase II*, p. 2.

⁵⁷ *Ibid.*, p. 6. The Environmental Data Resources, Inc. findings is presented in Appendix B of the *Phase II* report.

⁵⁸ *Ibid.*

March 12, 1992.⁵⁹ The tank was located in the basement along Mission Street approximately 100 feet west of Beale Street.⁶⁰ This tank was most likely used for the demolished 345 Mission Street building.⁶¹ A fill port cover (related to the UST) was located along Fremont Street; the cover is encased in concrete and there is no access to the abandoned tank.⁶² On February 27, 1992, the 1,500-gallon tank was triple-rinsed and a sample of the rinsate material was submitted for chemical analysis. The rinsate was analyzed for total petroleum hydrocarbons (TPH) as diesel, total oil and grease. Analytical results indicated concentrations were less than the established 100 parts per million (ppm) limit, and thus the tank closure process was initiated. Soil samples were taken from the vicinity of the tank and analyzed for total oil and grease. Groundwater was not encountered during the excavation of the soil above the tank.⁶³ No concentrations of oil and grease were detected in the soil samples.⁶⁴ Subsequently, on March 12, 1992, the tank was filled with a sand-cement slurry and was properly abandoned in-place. Since no groundwater contamination was encountered and based on analytical results, the potential for this to affect the environmental conditions at the project site is considered minimal.⁶⁵

Nearby Properties

Public files were reviewed for sites in close proximity and in the assumed up-gradient or cross-gradient direction of groundwater flow to the site to evaluate the potential for these sites to impact the site. Near-surface groundwater flow would be expected to serve as the chief transport mechanism for the migration of off-site hazardous materials to the site. The potential for these nearby properties to affect the project site is largely based on their relative location and the regional groundwater flow direction which has been identified to be in the north-northeast direction.⁶⁶ A summary of the results is presented below:

Five nearby properties were listed on the State of California registered leaking underground storage tank (LUST) list. At the Federal Reserve Bank at Mission and Main Streets, approximately 247 feet north-northwest and downgradient of the site, a gasoline leak was reported during tank closure on October 10 1990.⁶⁷ The potential for this release to affect the project site is considered minimal based on distance and groundwater gradient directions. The Bechtel Building at 50 Beale Street, approximately 332 feet northwest and cross-gradient of the site, was listed because a total of four underground storage tanks were reportedly removed or abandoned in-place for this property between the years 1987 and 1999. A 15,000 gallon double-contained UST used for the emergency generator still exists at 50 Beale Street. It is subject to current tank regulations.

⁵⁹ Treadwell & Rollo, *Phase I*, p. 7; and Treadwell & Rollo, *Phase II*, p. 2.

⁶⁰ Treadwell & Rollo, *Phase II*, p. 2.

⁶¹ Treadwell & Rollo, *Phase I*, p. 7.

⁶² *Ibid.*, p. 12.

⁶³ Treadwell & Rollo, *Phase II*, p. 2.

⁶⁴ Treadwell & Rollo, *Phase I*, p. 7; and Treadwell & Rollo, *Phase II*, p. 2.

⁶⁵ Treadwell & Rollo, *Phase I*, p. 7.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*, p. 8. No further information was available from the EDR database for the Federal Reserve Bank property and no files were found at the SFDPH or SFFD.

The Transbay Terminal at 425 Mission Street, approximately 455 feet southwest and cross- to up-gradient of the project site, was listed because one 1,500-gallon diesel UST was removed on March 4, 1999. Administrative case closure was granted by the SFDPH on June 21, 1999 with no further action required. The Shorenstein Property at 50 Fremont Street, approximately 495 feet west and cross-gradient of the project site, was listed because one 6,000-gallon diesel UST was removed on September 14, 1994. On February 2, 1995, the SFDPH issued a Notice of Completion Underground Storage Tank Removal requesting no further action. The 45 Fremont Center, approximately 520 feet west and cross-gradient of the site, was listed because one 15,000-gallon UST was removed on October 24, 1994. Administrative case closure was granted by the SFDPH on December 12, 1996 with no further action required.

In summary, seven facilities within the study area, including one UST on the site, appear on the regulatory agency lists. According to the consultant, there is no readily available evidence that these facilities have affected or are likely to affect the environmental conditions of the site. Based on current construction plans, the consultant concluded that the UST on the project site should be properly removed from the site.⁶⁸

Hazardous Materials in Soil. Since the project site was historically part of Yerba Buena Cove of the San Francisco Bay,⁶⁹ it is subject to requirements of Article 22A of the San Francisco Public Health Code.⁷⁰ The City adopted an ordinance (Ordinance 253-86, signed by the Mayor on June 27, 1986) which requires analyzing soil for hazardous wastes within specified areas designated by the Department of Public Works (DPW) when over 50 cubic yards of soil is to be disturbed. The ordinance specifically includes sites, such as the project site, which are bayward of the high tide line (as shown on maps available from the DPW). San Francisco Building Code Section 106.3.2.4, Hazardous Wastes, relates to implementation of the ordinance, including review by the Department of Public Health (DPH).⁷¹

Accordingly, in compliance with the Maher Ordinance, a site history and data search (the Phase I), and site investigative report (the Phase II) have been prepared for the project site by an independent consultant.⁷² For the Phase II study, samples of the fill material and underlying sand from eleven exploratory borings were collected, chemically tested and evaluated. The objective of the study was to assess the presence of petroleum hydrocarbon and heavy metal contamination of soil and groundwater at the project site.⁷³ Concentrations of chemical compounds detected in the soil and groundwater samples were compared to state and federal criteria for hazardous waste and disposal options. On the basis of this comparison, preliminary recommendations regarding the presence of hazardous materials at the site, as well as preliminary soil handling procedures, were made.

⁶⁸ Treadwell & Rollo *Phase I*, p. 14.

⁶⁹ According to the 1853 U.S. Coast Survey Map of San Francisco.

⁷⁰ Treadwell & Rollo *Phase I*, p. 6. The site is bayward of the historic high tide line.

⁷¹ According to Building Code Section 106.3.2.4.2, Permit Approval, no building permit application subject to the requirements of this section shall be approved until the Department receives written notification from the Director of Public Health that the applicant has complied with all applicable provisions of Article 22A of the Public Health Code, or that the requirements have been waived.

⁷² Treadwell & Rollo, *Phase I*, p.2; and Treadwell & Rollo, *Phase II*, p. 1.

⁷³ Treadwell & Rollo, *Phase II*, p. 3.

The borings indicate the site is blanketed by up to 23 feet of fill that consists of very loose to loose sandy gravel and gravelly sand with large amounts of rubble including concrete, wood and brick debris.⁷⁴ This fill material is most likely from the 1906 earthquake and fire and is locally known as Earthquake Fill.⁷⁵ An old five- to eleven-inch-thick concrete basement slab, and below that, about three feet of concrete were encountered to depths of 15 to 17 feet below the ground surface.⁷⁶

In accordance with Article 22A requirements, the soil samples were analyzed for the presence of hazardous materials and petroleum hydrocarbons in the earthquake fill and underlying sand.⁷⁷ All the soil samples collected were analyzed for total lead and total recoverable petroleum hydrocarbons (TRPH).

Total recoverable petroleum hydrocarbons (TRPH) were detected at low levels in nine of the ten soil samples analyzed, at concentrations ranging from 21 to 190 milligrams per kilograms (mg/kg) or parts per million (ppm). Low levels of gasoline were detected in two soil samples at concentrations of 1.1 to 1.3 ppm, respectively. Diesel was detected at low levels in nine of the ten samples analyzed, at concentrations ranging from 2.3 to 100 ppm. Semi-volatile organic compounds (SVOC), p-Isopropyl toluene, was detected at very low levels in one sample at a concentration of 7.4 milligrams per kilogram (ug/kg) or parts per billion (ppb). No asbestos, volatile organic compounds (VOCs), sulfide, or cyanide were detected at or above method reporting limits in the soil samples analyzed.⁷⁸

As noted, all the soil samples collected were analyzed for total lead as well as total recoverable hydrocarbons. Selected samples with elevated concentrations of total lead (greater than 50 parts per million) were also analyzed for soluble lead using the Soluble Threshold Limit Concentration (STLC) by California Waste Extraction Test (WET) method and Federal Toxicity Characteristic Leaching Potential (TCLP) analyses. These soluble lead analyses were performed to assess whether lead concentrations in select soil samples exceeded State and/or Federal hazardous waste levels.⁷⁹ Total lead was detected in all of the nine soil samples submitted for chemical analyses at concentrations ranging from 3.2 to 260 ppm. Soluble lead was detected in the one selected sample analyzed, at a concentration of 8.7 mg/kg or parts per million (ppm). No lead was detected at or above TCLP reporting limits in the sample analyzed. These lead levels

⁷⁴ *Ibid.*, p. 4.

⁷⁵ Fill material from this period often contains elevated levels of various metals, particularly lead from lead-based paints; and petroleum hydrocarbons. These soil conditions are common throughout the Greater South of Market area. These were also detected in soil samples collected at site.

⁷⁶ *Ibid.* This concrete is likely the remnants of the foundation system for the structure that previously existed where the vacant lot is now.

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*, p. 6.

are consistent with elevated levels found in the South of Market area.⁸⁰ The remaining metal concentrations were within normal background ranges found in the western United States.⁸¹

Project plans call for excavation and removal of roughly 65,000 cubic yards of soil from the project site. Were contaminated areas at the project site to be excavated, contaminated soil or groundwater could be encountered. Without appropriate safeguards, earth-moving activities could potentially expose workers and possibly the public to chemical compounds in soils, soil gases (gases or vapors, mostly air, trapped within soil), or groundwater. Exposure would most likely occur through skin contact or inhalation. Workers directly engaged in on-site activities would face the greatest potential for exposure to contaminants. The public could also be exposed if access to the construction site were insufficiently controlled. Hazardous materials exposure could cause short-term or long-term health effects specific to each chemical present at the site if present in sufficient concentration and duration.

Under Article 22A, where hazardous wastes are found in excess of state or federal standards, the sponsor would be required to submit a site mitigation plan (SMP) to the appropriate state or federal agencies, and to implement an approved SMP prior to issuance of any building permit. Where toxics are found for which no standards are established, the sponsor would request a determination from state and federal agencies as to whether an SMP is needed.

Conclusions. The Phase I report revealed that the site is likely underlain with approximately four feet of fill that possibly contains elevated concentrations of petroleum hydrocarbons and metals. The potential presence of these chemicals generally results from past regional industrial and commercial activities and from the debris left by the 1906 earthquake and fire. According to SFDPH files, one 1,500-gallon UST containing bunker oil was abandoned in-place on March 12, 1992 at 301 Mission Street. No concentrations of oil and grease were detected in the two soil samples taken from the vicinity of the UST. The Phase II report concluded this tank should be properly removed when the current building is demolished. There is no readily available evidence that the seven facilities that appear on the regulatory agency lists have affected or are likely to affect the environmental conditions of the site.⁸²

The Phase II report, for the project site compared the soil sample analytical results for lead to California Total Threshold Limit Concentration (TTLC) and STLC hazardous waste criteria.

Based on these comparisons, the fill material would likely require disposal at a regulated Class I hazardous and at a Class II non-hazardous waste landfill.⁸³

Since the presence of elevated levels of lead was detected at the project site, a Soil Management Plan (SMP) and a Health and Safety (H&S) plan (prepared by others for site contractors) would be required prior to construction. The SMP would include a soil handling plan which segregates the fill material from the underlying native sand. The H&S plan would outline proper soil

⁸⁰ Telephone conversation, Peter J. Cusack, Senior Project Scientist, Treadwell&Rollo with Turnstone Consulting, May 7, 2002.

⁸¹ Cited in U.S.G.S. Professional Paper 1270, Element Concentrations in Soils and Other Surficial Materials of the Conterminous United States, 1984.

⁸² Treadwell & Rollo, *Phase I*, p. 7.

⁸³ *Ibid.*, p. 8.

handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.⁸⁴

Building Materials and Chemicals in the Buildings

The existing buildings at the project site were constructed prior to 1970.⁸⁵ In the past, asbestos, PCBs, and lead were commonly installed in such materials as fire proofing, floor tiles, roofing tar, electrical transformers, fluorescent light ballasts, and paint. Mercury is common in electrical switches and fluorescent light bulbs. Therefore, some of the buildings on site may contain hazardous materials, such as asbestos, polychlorinated biphenyls (PCBs), lead, mercury, or other hazardous materials. If such hazardous materials exist in a building when it is demolished, they could pose hazards to workers, neighbors, or the natural environment.

Asbestos-containing materials may be found within the existing structures on site which are proposed to be demolished as part of the project. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos. The Bay Area Air Quality Management District (BAAQMD) is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work.

Notification includes the names and addresses of operations and persons responsible; description and location of the structure to be demolished/altered including size, age and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The District randomly inspects asbestos removal operations. In addition, the District will inspect any removal operation concerning which a complaint has been received.

The local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 sq.ft. or more of asbestos-containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material is required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Pursuant to California law, the DBI would not issue the required permit until the applicant has complied with the notice requirements described above. These regulations and procedures, already established as a part of the permit review process,

⁸⁴ *Ibid.*

⁸⁵ Treadwell & Rollo, *Phase I*, p. 5.

would insure that any potential impacts due to asbestos would be reduced to a level of insignificance.

Lead paint may be found in the existing buildings, constructed prior to 1970 and proposed for demolition as part of the project. Demolition must comply with Chapter 36 of the San Francisco Building Code, Work Practices for Exterior Lead-Based Paint. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to December 31, 1978, Chapter 36 requires specific notification and work standards, and identifies prohibited work methods and penalties.

Chapter 36 applies to buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces), where more than ten total square feet of lead-based paint would be disturbed or removed. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the HUD Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to the ordinance shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

The ordinance also includes notification requirements, contents of notice, and requirements for signs. Notification includes notifying bidders for the work of any paint-inspection reports verifying the presence or absence of lead-based paint in the regulated area of the proposed project. Prior to commencement of work, the responsible party must provide written notice to the Director of DBI, of the location of the project; the nature and approximate square footage of the painted surface being disturbed and/or removed; anticipated job start and completion dates for the work; whether the responsible party has reason to know or presume that lead-based paint is present; whether the building is residential or nonresidential, owner-occupied or rental property, and approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. (Further notice requirements include Sign When Containment is Required, Notice by Landlord, Required Notice to Tenants, Availability of Pamphlet related to protection from lead in the home, Notice by Contractor, Early Commencement of Work [by Owner, Requested by Tenant], and Notice of Lead Contaminated Dust or Soil, if applicable.) The ordinance contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non compliance with the requirements of the ordinance.

These regulations and procedures by the San Francisco Building Code would ensure that potential impacts of demolition, due to lead-based paint, would be reduced to a level of insignificance.

Chemicals in the Building. On June 11, 2001, a reconnaissance of the project site was conducted by the consultant,⁸⁶ to look for visual evidence of past or present use or storage of petroleum products and hazardous materials that could potentially affect the soil and/or groundwater quality at the site. The 301 Mission Street, 124 Beale Street, and 129 Fremont Street buildings are occupied by various tenants including restaurants, offices, retail space, storage, a laboratory, and a printing facility.⁸⁷ At the time of site reconnaissance, small amounts of paints, paint thinners, primer, inks, gloss enamel, WD-40, lubricants, acetone, glue, degreaser, oils, and propane fuel were found in these buildings. The basement of 301 Mission Street is connected to the basement of 124 Beale Street. Ten-gallon drums of phosphoric acid were found in the basement of the 124 Beale Street building. The ground floor of 301 Mission Street is occupied by a laboratory run by Bechtel. The laboratory contained various types of unlabelled jars, and small containers, and soil testing equipment. At the time of reconnaissance occupants of the laboratory were conducting soil tests. According to the consultant, at the time of inspection, the buildings and storage areas on the project site appeared to be well maintained and organized with no evidence of any significant staining, spillage, and/or ponded liquids or uncontained solids. The chemicals stored within containers all appeared to be generally well maintained.⁸⁸

Emergency Response Plans

The project proposes an approximately 605-foot-tall high-rise building. Occupants of the proposed building would contribute to congestion if an emergency evacuation of the downtown area were required. Section 12.202(e)(1) of the San Francisco Fire Code requires that all owners of high-rise buildings (over 75 feet) "shall establish or cause to be established procedures to be followed in case of fire or other emergencies. All such procedures shall be reviewed and approved by the chief of division." Additionally, project construction would have to conform to the provisions of the Building and Fire Codes which require additional life-safety protections for high-rise buildings.

Fire Hazards

San Francisco ensures fire safety primarily through provisions of the Building Code and the Fire Code. Existing buildings are required to meet standards contained in these codes. In addition, the final building plans for any new residential project greater than two units are reviewed by the San Francisco Fire Department (as well as DBI), in order to ensure conformance with these provisions. The proposed project would conform to these standards, which (depending on building type) may also include development of an emergency procedure manual and an exit drill plan. In this way, potential fire hazards (including those associated with hydrant water pressure, and emergency access) would be mitigated during the permit review process.

⁸⁶ Treadwell & Rollo, *Phase I*, p. 11.

⁸⁷ Treadwell & Rollo, *Phase I*, pp. 11-12. The 301 Mission Street property's office tenants include Lion Bridge, Tilia Inc., Thomas F. White and Co., Zenith, and Bechtel. The 124 Beale Street property's tenants include Microgear, Young Park, Design Mind, GKO, and DLC. The 129 Fremont Street building is entirely occupied by Computers for Marketing Operation as a temporary office.

⁸⁸ *Ibid.*, p. 13. The neighboring properties, observed from the public sidewalk, also showed no apparent signs of chemical releases or leaks.

As a result of implementing the regulations summarized above, potential health and safety issues related to building contamination, soil contamination, emergency procedures, fire hazards and remediation would be reduced to less-than-significant levels. Therefore, these issues do not require further analysis and will not be discussed in the EIR.

13. <u>Cultural</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community, ethnic or social group; or a paleontological site except as a part of a scientific study?	—	<u>X</u>	<u>X</u>
b. Conflict with established recreational, educational, religious or scientific uses of the area?	—	<u>X</u>	—
c. Conflict with the preservation of buildings subject to the provisions of Article 10 or Article 11 of the City Planning Code?	—	<u>X</u>	<u>X</u>

Archaeological Resources

An archival cultural resources evaluation⁸⁹ and an archaeological research design⁹⁰ were prepared for the project site by an independent consultant. The archival cultural resources evaluation systematically examines the potential for the existence of subsurface cultural resources from the Prehistoric/ Protohistoric period (c. 4000 B.C. - 1775 A.D.), the Spanish, Mexican and Early American periods (1775 -1848), the California Gold Rush period (1849 - 1857), Filling in and Building up of Yerba Buena Cove (1858 - 1886), and the Late Nineteenth Century (1887 - 1906). The archaeological research design establishes a detailed approach to determining the significance of the archaeological property types⁹¹ expected to be potentially present and the procedures to be followed in pre-construction testing, data recovery, monitoring construction activities, treatment of artifacts and features, and recording and reporting data.

The cultural resources evaluation's review of available archival sources suggests that there is a slight possibility that prehistoric/protohistoric archeological remains may exist within the confines of the project site,⁹² and that there is minimal likelihood of recovering cultural resources from the Spanish, Mexican and Early American periods.⁹³ During these periods the project site lay entirely submerged beneath the shallow waters of Yerba Buena Cove. The

⁸⁹ Archeo-Tec Inc., *Archival Cultural Resources Evaluation of the Proposed 301 Mission Street Development Project*, December 2001. This report is on file with the Planning Department, 1660 Mission Street, San Francisco, and is available for public review as part of the project file.

⁹⁰ Archeo-Tec Inc., *Archaeological Research Design*, December 2001 (Revised March 8, 2002) .

⁹¹ Property types in this context are classes of archaeological resources that share important characteristics.

⁹² *Archival Cultural Resources Evaluation of the Proposed 301 Mission Street Development Project*, p.40.

⁹³ *Ibid.*

cultural resources evaluation concludes that it is unlikely that cultural resources from these periods would be encountered, although their existence cannot be ruled out.⁹⁴

According to the cultural resources evaluation, the first development of the project area began in the mid-1850's with the filling of Yerba Buena Cove with dune sand, rocks, rubbish, rubble. During the mid-1980's Archeo-Tec conducted a monitoring/data recovery program in connection with construction of 135 Main Street, one block to the east, which resulted in the recovery of an extensive assemblage of cultural material from the early-to-mid 1850's to the end of the Nineteenth Century that had been discarded as landfill. Patterns of Nineteenth Century landfill activity at 135 Main Street closely resemble those of the project site.⁹⁵ By 1869 the project site and surrounding area had been entirely reclaimed from San Francisco Bay. By the mid-1870's until the close of the Nineteenth Century the project site was fully developed and occupied by a variety of industrial and commercial enterprises. No major alterations to the foundations or property footprints of the buildings of the study block occurred until after the block was consumed by the fire that followed the 1906 Earthquake.

The cultural resources evaluation concludes that, based upon the filling and grading activities of the 1850's and the continuous use of structures at the project site from the late 1850's until the Great Earthquake and Fire of 1906, there is a reasonable probability that excavation could disrupt Gold Rush era and later nineteenth century archeological resources.⁹⁶ Additionally, remains of the storeships the *Callao* and the *Byron* have been recorded in close proximity to the project site, although their exact locations have not been precisely determined.⁹⁷

The research design identifies the types of historical archeological artifacts and features that are expected to be present within the confines of the project site under the following five property types: "refuse," "architecture," "landfill and landscape," "urban infrastructure, and industrial processes."⁹⁸ The research design identifies three historical archaeological research themes that are likely to be addressed by the expected properties: "ethnicity and boundary maintenance;" "Victorianism and urban geography;" and "industrialization and technology."⁹⁹ The research design also identifies the types of prehistoric archaeological resources that are expected to be present within the project site (if prehistoric resources should be encountered) under four property types: "midden sites", "isolated burials and features", "lithic scatters", and "isolated artifacts".

The research design assesses the potential significance of expected archaeological resources in terms of criteria of eligibility of the resource for the National Register of Historic Places and the California Register of Historical Resources (NRHP/CRHR) (particularly, Criterion D, the likelihood that the property may yield "information important in prehistory and history"). Artifacts and features rated "high" are considered to possess a greater potential to address the relevant research themes identified in the research design, and are therefore most likely to be

⁹⁴ *Ibid.*, pp.13, 20.

⁹⁵ *Ibid.*, pp. 38-39.

⁹⁶ *Ibid.*, p.40

⁹⁷ *Ibid.*, pp. 29-30. An 1859 U.S. Coast Survey map depicts the outline of a ship near the modern intersection of Mission and Beale Streets.

⁹⁸ *Archaeological Research Design*, pp.13-16

⁹⁹ *Ibid.*, pp.16-22

eligible for inclusion in the National and California Registers under Criterion D. Artifacts and features rated “high” for this project are as follows: under the “refuse” category are refuse filled features (such as pits, privies and wells), landfill, and maritime remnants; under the “architecture” category are remnants of maritime resources and saloons; and under the “industrial processes” category are remnants of shipbuilding and woodworking activities.¹⁰⁰

The proposed project would include excavation to a depth of 40 feet below grade to accommodate the foundations and subsurface parking facilities. Based upon the archaeological cultural resources evaluation, there is a very low probability that prehistoric resources, a moderate probability that buried ships, and a moderate to high probability that historical archaeological resources associated with the Gold Rush Period through the latter 19th Century may be present within the project site and that these resources would potentially be eligible for the NRHP/CRHR and thus, be ‘historical resources under CEQA. The cultural resources evaluation concluded that the proposed project could adversely affect archaeological resources expected to be present within the project site.

The project includes a mitigation measure (see Mitigation Measure 3, pp. 49-50) that would reduce the potential impact to cultural resources to a less-than-significant level.

Historic Architectural Resources

The project site is occupied by three buildings (see Figure 4; Existing Buildings on the Project Site). In 1996 the buildings were surveyed for their historic significance in a Historic Properties Survey Report for the *CalTrain San Francisco Downtown Extension Project*.¹⁰¹ The report was prepared as part of compliance with federal review under Section 106 of the National Historic Preservation Act.

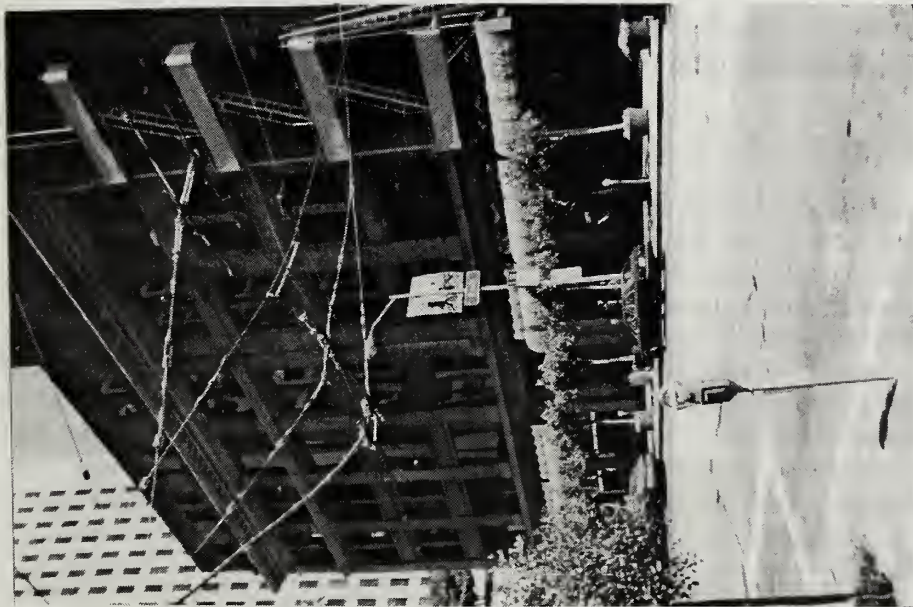
The six-story 301 Mission Street office building, historically known as the W.P. Fuller & Company Building, occupies the whole of Lot 1 in the northeast corner of the project site.¹⁰² The eastern half is a fireproof steel frame building with brick curtain walls, designed by Albert Pissis¹⁰³ and built in 1908. According to the Historic Properties Survey report, Albert Pissis began his career as a draftsman for William Mooser I, and then attended the Ecole des Beaux Arts in Paris in the 1870's. His competition-winning design for the Hibernia Bank building (1889), with partner W.P. Moore, elevated him to the highest rank of San Francisco architects. He remains well known for his classical designs, including the Flood Building (1904), the

¹⁰⁰ *Ibid.*, pp.23-24.

¹⁰¹ See McGrew/Architects, Patrick McGrew’s letter to Mark Farrar, Mission Street Development Partners, September 17, 2001, p. 2. Patrick McGrew’s letter. See also Michael Corbett, Dames and Moore, Historic Properties Survey Report for the *Caltrain San Francisco Downtown Extension Project*, 1996. The Patrick McGrew letter and relevant portions of the Historic Properties Survey Report, including pages for 301 Mission Street, 124 Beale Street, and 129 Fremont Street, are on file with the Planning Department, 1660 Mission Street, San Francisco, and are available for public review as part of the project file.

¹⁰² Michael Corbett, Dames and Moore, Historic Properties Survey Report for the *Caltrain San Francisco Downtown Extension Project*, 1996, 301 Mission Street, pp.1-4. A previous building on the same site was completed in February of 1906 and was destroyed in April of that year by the earthquake and fire.

¹⁰³ *Ibid.*



A. 301 MISSION STREET



B. 124 BEALE STREET



C. 129 FREMONT STREET

SOURCE: Turnstone Consulting

2001.0792E: 301 MISSION STREET

FIGURE 4: EXISTING BUILDINGS ON THE PROJECT SITE

Emporium (1896), the White House Dept. Store (1908), and the Hibernia Bank, all extant. The western half is a fireproof, reinforced concrete structure with brick cladding, and tile partition walls with an elevator penthouse; its sixth story spans both halves of the building. It was designed by George Applegarth¹⁰⁴ and built in 1923. George Applegarth trained at the Ecole des Beaux Arts and opened his office in San Francisco in 1906 or 1907. He is considered an important architect for his classical designs, such as the A.B. Spreckels mansion (1913) and the Palace of the Legion of Honor in Lincoln Park (1920's). He also pioneered in the use of large amounts of glass in the facades of downtown office buildings. He worked until his death in January 1972.

According to the Historic Properties Survey Report, the design of the 301 Mission Street Building is a three-part vertical block with an attic. It has a skeletal articulation at the facades and ornamentation derived from Renaissance and Baroque sources extended in terra cotta and pressed metal. With the 1923 addition, the elevator penthouse was given a tiled hip roof and arches, like the Merchant's Exchange and numerous other prestigious San Francisco buildings. The entrance vestibule is framed by a column order. Among the numerous alterations since the 1930's, those with the biggest impact on the appearance were the replacement of all original wood windows in 1969.¹⁰⁵

The 301 Mission Street building was the home of the W.P. Fuller Company, a paint manufacturer,¹⁰⁶ from 1908 through the 1950's. This building contained not only the main offices for W.P. Fuller and Company, but the paint manufacturing plant, a warehouse, and a shipping department.¹⁰⁷ Fuller remained in this building at least through 1959.¹⁰⁸

The Historic Properties Survey Report indicates that the 301 Mission Street building possesses significance both for its associations with the Fuller company and for its architectural design by two leading San Francisco architects.¹⁰⁹ However, according to the report, it has suffered a loss in integrity with replacement of all of the original windows (1969) and the Historic Properties Survey Report concludes that the building appears ineligible for the National Register of Historic Places (NRHP), due to a loss of integrity.¹¹⁰

The six-story 124 Beale Street office building, historically known as the Dry Goods Warehouse, occupies the irregular L-shaped Lot 17 at the southeast corner of the site (see Figure 4). It was

¹⁰⁴ *Ibid.*

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.* The company was founded in 1849 by William Parmer Fuller, who, after working briefly as a miner, opened his painting and paperhanging business in Sacramento in August of that year. In about 1861, Fuller expanded, opening a store in San Francisco and importing paints, oils, and glass from the east coast and Europe. In 1868, Fuller merged with William F. Whittier, the owner of a similar business. The combined firm was one of many such dealers in San Francisco and was perhaps the largest and best known in the city. In 1894, Whittier retired, and the firm became W.P. Fuller and Company.

¹⁰⁷ *Ibid.* The W.P. Fuller Company company also built two other buildings to house their operations. The glass mirror works at 1010 Battery Street (1905) and the warehouse at 340-360 Townsend (1906) still stand.

¹⁰⁸ *Ibid.* Today, the business is known as the Fuller-O'Brien Paint Company.

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*

built in 1930 as a warehouse and has been converted to office use.¹¹¹ The architect is not known. A truck dock entrance is on Beale Street. It is a fireproof reinforced concrete building with six-inch walls, a flat roof, a central fire escape. Most of the building's windows are steel sash with some aluminum replacement windows on the south side. The facade is a two-part vertical composition with recessed spandrel panels and a concrete cornice; it has stucco finish on the side fronting Beale Street. The building lobby finishes have been remodeled.

According to the 1996 Historic Properties Survey Report, 124 Beale Street lacks significance and does not appear eligible for the NRHP under Criterion C for listing on the NRHP.¹¹² The 124 Beale Street building is a reinforced concrete dry goods warehouse with a very simple stucco facade in a standard two-part composition. It is typical of many San Francisco buildings of this type, period, and method of construction. The report also concludes that 124 Beale Street lacks significance under Criteria A and B for listing on the NRHP.¹¹³ Historically, 124 Beale Street is associated with an industry that was established in the Gold Rush period and flourished in San Francisco until after World War II when warehousing of all sorts began moving out of the city. This building is a later, representative manifestation of the industry, built by a real estate developer as an investment. The building has no known association with significant persons or events. In summary, the report concludes that the building lacks significance and does not appear eligible for the NRHP.¹¹⁴

The 129 Fremont Street building, historically known as Walton N. Moore Dry Goods Warehouse, occupies the southwest corner of Lot 17. (See Figure 4.) It is a reinforced concrete structure with an open loft plan, a crib floor,¹¹⁵ a gable roof, built in 1929. The architect is not known. The second floor and roof trusses are supported by steel columns along the insides of the walls. The second floor is further supported by a central row of 12-inch square wood posts and massive beams. The building has a central double door and one side door near the north end; it has no windows. As stated in the Historic Properties Survey Report, the front facade is clad in green extruded ceramic veneer above a black marble base; it may have been remodeled in the late 1930s or the 1940s. According to the survey report, in design this is a vault with barely identifiable connections to the Moderne architectural style.

According to the survey report, the origins of this building remain unclear.¹¹⁶ This building, or a similar one, stood on this site and was used as a foundry and blacksmith shop in 1913.¹¹⁷ The

¹¹¹ Historic Properties Survey Report for the *Caltrain San Francisco Downtown Extension Project*, 1996, 124 Beale Street, pp. 1-4.

¹¹² Criterion C for listing on the NRHP includes resources that “embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.”

¹¹³ Criterion A for listing on the NRHP includes resources that “are associated with events that have made a significant contribution to the patterns of history.” Criterion B includes resources the “are associated with the lives of persons significant in our past.”

¹¹⁴ Historic Properties Survey Report for the *Caltrain San Francisco Downtown Extension Project*, 1996, 124 Beale Street, pp. 1-4.

¹¹⁵ The crib floor consists of massive wood planks estimated to be about two inch by twelve feet laid on their sides rather than flat. Historic Properties Survey Report for the *Caltrain San Francisco Downtown Extension Project*, 1996, 129 Fremont Street, pp. 1-4.

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*, 129 Fremont Street, p. 2.

occupants of the site in 1915 were William T. Campbell, horseshoer, and Price Brothers, draymen. Interim uses remain unknown. The Realdex gives a construction date of 1922 to the building, but supporting evidence is lacking. In 1945, the Walton N. Moore Dry Goods Company, a wholesale business, purchased this building and used it as a warehouse for their adjacent showroom at 345 Mission Street. The history of this building appears to be associated with Walton Moore Dry Goods and as such belongs to a common pattern of warehouses for local establishments. As structure, it is an unusually built building, especially the flooring. The purpose of this is not clear. The Historic Properties Survey Report concludes that, while a more complete evaluation of the 129 Fremont building could be made with more information about both its history and architecture, at present the building lacks significance and appears ineligible for the NRHP.¹¹⁸

The table below summarizes the status of the three existing buildings under historic registers, designations and surveys.¹¹⁹

Table 1: Summary of Architectural/Historic Status of Existing Buildings

	301 Mission St.	124 Beale St	129 Fremont
National Register¹	6Y	6Y	6Y
Planning Code, Art. 10	Not Designated	Not Designated	Not Designated
Planning Code Art. 11	Unrated	Unrated	Unrated
Here Today	Not Included	Not Included	Not Included
Citywide Survey	Not Included	Not Included	Not Included
Splendid Survivors	Unrated ²	Unrated	Unrated
California Register	Not Listed ³	Not Listed	Not Listed

Notes:

¹ The Historic Properties Survey Report for the *Caltrain San Francisco Downtown Extension Project* recommended a “6Z” rating for the above-mentioned properties. These buildings were eventually adopted through a consensus determination of a federal agency and the State Historic Preservation Officer as a National Register Status Code of “6Y”. Both “6Z” and “6Y” ratings are considered ineligible for listing in the National Register. Source: Office of Historic Preservation, *Instructions for Recording Historical Resources*, March 1995, Appendix 2, NRHP Status Codes.

² In an unpublished 1983 manuscript entitled: “Splendid Extended” (which included South of Market buildings), Heritage rated the 301 Mission Street building a “B”. Details of this rating are available from Heritage. This survey placed a high value on the history of the building as one-time headquarters of the W.P. Fuller Company. This survey did not address the extent of alterations to the building; it valued the building’s historic context, which has now been altered beyond recognition, according to Patrick McGrew, historic resource consultant. Most early Twentieth Century buildings in the project vicinity have been demolished or replaced. Those that remain are too few in number and too dispersed to define the area’s visual context, according to the consultant.

³ Because of the “6Y” rating under the National Register, the building does not satisfy the eligibility requirements for listing on the California Register.

Source: Turnstone Consulting and McGrew Architects

¹¹⁸ *Ibid.*

¹¹⁹ Patrick McGrew, McGrew Architects, Historic Building Registry Review for 301 Mission, 124 Beale Street, and 129 Fremont Street, September 17, 2001. This report is on file with the Planning Department, 1660 Mission Street, San Francisco, and available for public review as part of the project file.

No designated landmarks or buildings designated Category I-IV under Article 11 of the Planning Code are on the site. No buildings on the site are located in a Conservation District. Alteration and/or demolition of unrated (Category V) buildings that are not included within the boundaries of a Conservation District is essentially exempt from Landmarks Board review. While the Historic Properties Survey Report concludes that a more complete evaluation of the 129 Fremont Street building could be made, at present that building and all other site buildings have been determined ineligible for the National Register and the California Register.

Thus, the existing buildings on the project site are not historic resources under CEQA. Their demolition, therefore, would not have a significant impact on historic architectural resources, and no further analysis in the EIR is required.

OTHER - Could the project:

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
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Require approval and/or permits from City Departments other than the Planning Department or the Department of Building Inspection, or from regional, state, or federal agencies?

<u>X</u>	—	<u>X</u>
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A list of approvals and permits necessary for the project is presented in the Compatibility with Existing Zoning and Plans discussion above on pp. 7-10.

MITIGATION MEASURES

	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>Discussed</u>
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1. Could the project have significant effects if mitigation measures are not included in the project?

<u>X</u>	—	—	<u>X</u>
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2. Are all mitigation measures necessary to eliminate significant effects included in the project?

—	<u>X</u>	—	<u>X</u>
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Mitigation Measure 1: Noise

It is likely that pile driving would be required for this project. Therefore the project sponsor would require construction contractors to predrill holes to the maximum depth feasible based on soil conditions. Contractors would be required to use construction equipment with state-of-the-art noise shielding and muffling devices. The project sponsor would also require that contractors schedule pile driving activity for times of the day that would be consistent with the San Francisco Noise Ordinance.

Mitigation Measure 2: Construction Air Quality

To reduce particulate emissions, the project sponsor would require the contractor(s) to spray the site with water during demolition, excavation, and construction activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soils, sand or other such material; and sweep surrounding streets during demolition, excavation, and construction at least once per day. Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities.

Therefore, the project sponsor would require that contractor(s) obtain reclaimed water from the Clean Water Program for this purpose. The project sponsor would require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

Mitigation Measure 3: Archaeological Resources

Given the location and depth of excavation proposed, and the likelihood that archaeological resources would be encountered on the project site, the sponsor has agreed to retain the services of an archaeologist. The archaeologist would carry out a pre-excavation testing program to better determine the probability of finding cultural and historical remains. The testing program would use a series of mechanical, exploratory borings or trenches and/or other testing methods determined by the archaeologist to be appropriate.

If, after testing, the archaeologist determines that no further investigations or precautions are necessary to safeguard potentially significant archaeological resources, the archaeologist would submit a written report to the Environmental Review Officer (ERO), with a copy to the project sponsor. If the archaeologist determines that further investigations or precautions are necessary, he/she shall consult with the ERO and they shall jointly determine what additional procedures are necessary to minimize potential effects on archaeological resources.

These additional mitigation measures would be implemented by the project sponsor and might include a program of on-site monitoring of all site excavation, during which the archaeologist would record observations in a permanent log. The monitoring program, whether or not there are finds of significance, would result in a written report to be submitted first and directly to the ERO, with a copy to the project sponsor. During the monitoring program, the project sponsor would designate one individual on site as his/her representative. This representative would have the authority to suspend work at the site to give the archaeologist time to investigate and evaluate archaeological resources should they be encountered.

Should evidence of cultural resources of potential significance be found during the monitoring program, the archaeologist would immediately notify the ERO, and the project sponsor would halt any activities which the archaeologist and the ERO jointly determine could damage such cultural resources. Ground disturbing activities which might damage cultural resources would be suspended for a total maximum of four weeks over the course of construction.

After notifying the ERO, the archaeologist would prepare a written report to be submitted first and directly to the ERO, with a copy to the project sponsor, which would contain an assessment of the potential significance of the find and recommendations for what measures should be implemented to minimize potential effects on archaeological resources. Based on this report, the ERO would recommend specific additional mitigation measures to be implemented by the project sponsor. These additional mitigation measures might include a site security program, additional on-site investigations by the archaeologist, and/or documentation, preservation, and recovery of cultural material.

Finally, the archaeologist would prepare a report documenting the cultural resources that were discovered, an evaluation as to their significance, and a description as to how any archaeological testing, exploration and/or recovery program was conducted.

Copies of all draft reports prepared according to this mitigation measure would be sent first and directly to the ERO for review. Following approval by the ERO, copies of the final report(s) would be sent by the archaeologist directly to the President of the Landmarks Preservation Advisory Board and the California Historical Resources Information System, Northwest Information Center. Three copies of the final archaeology report(s) shall be submitted to the

Major Environmental Analysis Section of the Planning Department, accompanied by copies of the transmittals documenting its distribution to the President of the Landmarks Preservation Advisory Board and the California Historical Resources Information System, Northwest Information Center.

ALTERNATIVES

The EIR will discuss several alternatives to the proposed project that would reduce or eliminate significant environmental effects. The alternatives will include the following:

1. No Project. The No Project Alternative is required by CEQA to be discussed in the EIR. The existing buildings would remain on the project site and the northwest corner would remain vacant.
2. Alternative Requiring No Allowable Exceptions to the Planning Code. This alternative would not include a height extension, would meet "S" bulk district requirements, and would have no exceptions for facade width and floor plate size above 350 feet in height. It would have two subsurface parking levels, rather than three.
3. Revised Project Program. This alternative would revise the allocation of floor area among various uses in the project. For example, as the site is in the C-3-O (Downtown Office) use district, office space could be increased from 132,600 gsf with the project to about 300,000 gsf. Residential floor area could be reduced; such an alternative would have about 183 residential units, compared to 271 units with the proposed project. This alternative could also have the same 136-unit extended-stay hotel as the proposed project.

MANDATORY FINDINGS OF SIGNIFICANCEYesNoDiscussed

1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history?

— X —

2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?

— X —

3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.)

X — X

4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?

— X —

The project would contribute to cumulative transportation (traffic and transit), and air quality impacts in the Bay Area. These impacts will be analyzed in the EIR.

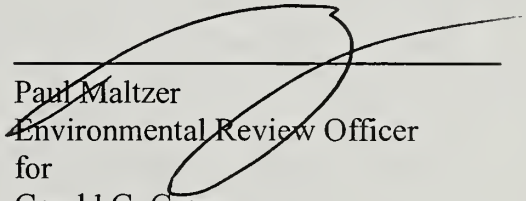
ON THE BASIS OF THIS INITIAL STUDY:

 I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

 I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

 X I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

DATE: May 10, 2002



Paul Maltzer
Environmental Review Officer
for
Gerald G. Green
Director of Planning

